

McKean County

EMERGENCY PETITION FOR CUSTODY

FORMS AND INSTRUCTIONS

WARNING

Custody is civil litigation and is a very serious matter. It is highly recommended that you hire an attorney to represent you in any custody action. If you choose not to hire an attorney, you may lose rights important to you. The court will expect you to follow the rules of procedure the same as though you had an attorney representing you. The information contained in this packet is not to be used as a substitute for professional legal advice. Most individuals seeking a medical remedy for a medical problem will consult a medical expert—a doctor. If you are seeking a legal remedy for a legal problem, we recommend that you consult a legal expert—a lawyer.

Disclaimer

Court staff is not able to give you legal advice or help you fill out/complete these forms. The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents.

TABLE OF CONTENTS

I. General Information:

- A. Introduction
- B. Basic Procedure
- C. Presenting a Petition and Providing Notice

II. Instructions:

- A. Completing the Entry of Appearance
- B. Completing the State Cover Sheet
- C. Completing the Local Cover Sheet
- D. Completing the Supplemental Cover Sheet
- E. Completing the Petition for Emergency Custody
- F. Completing the Criminal/Abuse Verification Form
- G. Completing Notice
- H. Filing the Petition

III. Forms:

- A. Entry of Appearance (Form 1)
- B. State Cover Sheet (Form 2)
- C. Local Cover Sheet (Form 3)
- D. Supplemental Cover Sheet (Form 4)
- E. Notice (Form 5)
- F. Petition for Emergency Custody (Form 6)
- G. Criminal/Abuse Verification Form (Form 7)
- H. Proof of Service (Form 8)
- I. Affidavit of Service (Form 9)
- J. Acceptance of Service (Form 10)

IV. Appendix

- A. Statutes Referenced in Forms

I. General Information

EMERGENCY RELIEF WILL ONLY BE AWARDED IF THERE IS A TRUE EMERGENCY. A true emergency is a risk that the other parent will harm or abuse the child or has abandoned the child. If you cannot prove abandonment or actual/imminent mistreatment or abuse of a child, then you should not file an Emergency Petition for Custody. If you file an emergency petition without proper justification, or for harassment, you may be required to pay costs and/or counsel fees of the other party.

IF THERE IS A THREAT OF IMMEDIATE HARM TO THE CHILD, YOU MAY WANT TO FILE FOR A PROTECTION FROM ABUSE (PFA) ORDER [contact Northwestern Legal Services, 814-362-6596] OR YOU MAY WANT TO CONTACT MCKEAN COUNTY COUNTY CHILDREN & YOUTH SERVICES (CYS) [CYS is located at 17155 Route 6, Smethport, 814-887-3350].

A. Introduction

These materials are intended to assist individuals involved in a custody action by providing general information and legal forms. **IT IS HIGHLY RECOMMENDED THAT YOU HIRE AN ATTORNEY TO REPRESENT YOU IN ANY CUSTODY ACTION.** The information contained in this packet is not to be used as a substitute for professional legal advice. Even if you do not hire an attorney to begin your custody action, you can change your mind and choose to hire an attorney at any time.

B. Basic Procedure

This packet contains forms and instructions on how to file an emergency petition for custody. **If there is not already a custody action, you will also need to file a custody complaint. There are separate packets for Custody Orders, Modification of a Custody Order, Custody Agreements, Enforcing a Custody Order, and Custody Relocation.**

STOP!! Read the next section carefully!

C. Service (providing a copy of the documents you are filing to all other parties)

Pennsylvania Rule of Civil Procedure 1930.4 requires that Original Process (such as a Custody Complaint or Petition to Modify) must be properly served on (mailed or handed to) all other parties, or their attorney, if any. Please read this rule carefully and select the best method for service. Please file one of the Proof of Service documents with the Prothonotary's Office once you have served the other parties.

If you do not properly serve all other parties, your case may be delayed, or even dismissed.

II. Instructions

(If you have not already done so, prior to beginning this Section, please detach the Forms at the end of this packet. Please note that the Forms at the end of the packet are in the same order as these instructions. You **MUST** use Forms 1, 2, 3 and 4.)

- A. Instructions for Completing the Entry of Appearance (FORM 1)
- B. Instructions for Completing the State Cover Sheet (FORM 2)
- C. Instructions for Completing the Local Cover Sheet (FORM 3)
- D. Instructions for Completing the Supplemental Cover Sheet (FORM 4)
- E. Instructions for Completing the Notice Form (FORM 5)
- F. Instructions for Completing the Petition for Emergency Custody (FORM 6)
- G. Instructions for Completing the Criminal Abuse Verification Form (FORM 7)
- H. Instructions for Completing Notice (Forms 8-10)
- I. Instructions for Filing.

A. Instructions for Completing the Entry of Appearance – (FORM 1)

STOP!!! REMOVE FORM 1. All parties representing themselves must fill out and file an Entry of Appearance form before they can file their complaint. The Prothonotary uses the information on the form to ensure that all legal documents and orders are sent to the required parties:

Caption

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.

Litigant Information

The Rest of the Form

- Section 1: place an “X” on the line before the word “Plaintiff or “Defendant” as applicable.
- Section 3: place an “X” on the situation that applies to you. Only check one. If you choose option 3, be sure the attorney signs the sheet as well.
- Section 4: place an “X” on the line before the word “I” and sign on the line at the end of the sentence.
- Section 5: place a full mailing address in the space provided unless protected as explained in the second paragraph.
- Section 6: place a telephone number in the space provided unless protected as explained in the second paragraph.

- Section 7: read and understand.
- Section 8: place the name and address of the opposing party or the opposing party's attorney.
- Section 9: Read, date and sign the verification.
- Send a copy of the completed form to these individuals named via First Class Mail.
- File the Original with the Petition as proscribed in section H.

C. Instructions for Completing the State Cover Sheet– (FORM 2)

STOP!!! REMOVE FORM 2. The State Cover Sheet is used by the Pennsylvania Court Administrator to collect data that is used to improve the Pennsylvania Court System.

Section A: Case Information

- Second Box: neatly type or print your name under “Lead Plaintiff’s Name” or “Lead Defendant” as applicable.

DO NOT FILL IN ANYTHING FURTHER ON FORM 2

D. Instructions for Completing the Local Cover Sheet – (FORM 3)

STOP!!! REMOVE FORM 3. The Local Cover Sheet is used by the Court for case tracking purposes. Parties can use the Local Cover Sheet to quickly find contact information for the opposing party.

Caption

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.

Case Information

- Write the current date in the space provided.
- Section 1: Already filled out.

Section 2

- Put an “X” on the line before “Plaintiff” or “Defendant” as applicable.
- Do not fill in any other information on Section 2.

Section 3

- If you are the plaintiff in the original custody case and do not have an attorney, then do not fill out anything after the phrase “The plaintiff is represented by...”
- If you are the plaintiff in the original custody case, after the words “The plaintiff appears *pro se*” place your address, telephone number, and e-mail.

Section 4

- If you are the defendant in the original custody case and do not have an attorney, then do not fill out anything after the phrase “The defendant is represented by...”
- If you are the defendant in the original custody case, after the words “The defendant appears *pro se*” place your address, phone number, and e-mail.

E. Instructions for Completing the Supplemental Cover Sheet – (FORM 4)

STOP!!! REMOVE FORM 4. The Supplemental Cover Sheet is used by the Court for statistical purposes.

Caption:

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.

DO NOT FILL IN ANYTHING FURTHER ON FORM 4.

F. Instructions for Completing the Notice – (Form 5)

STOP!!! REMOVE FORM 5. The Notice is required by law. Every person who files against another person must give them notice that suit has been filed and the consequences for not responding.

Caption:

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order

to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.

- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.

The Notice:

- Write the name of the person you are filing against on the line following the word “You.”
- Write the name of all children involved in the custody action on the line provided after the word “children.”

G. Instructions for Completing the Petition for Emergency Custody – (FORM 6)

STOP!!! REMOVE FORM 6. Although you are the one filing the Petition for Emergency Custody, you may be the “Plaintiff” or the “Defendant” depending on whether you were the one who filed the original custody action or whether you were the one the original custody complaint was filed against. Please set aside sufficient time to properly fill out the form.

Neatly print or type the following information:

Caption:

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.

IF YOU DO NOT HAVE AN EXISTING CUSTODY ORDER, YOU WILL NEED TO FILE A CUSTODY COMPLAINT IN ADDITION TO THIS PETITION. THERE IS A DIFFERENT PACKET FOR FILING A CUSTODY COMPLAINT.

Section 1.

- Put your name on the line after the word “I.”
- Put your full address after the words “reside at...”

Section 2.

- Put the name of the person you are filing against on the line.
- Put the address of the person you are filing against after the words “reside at...”

Section 3.

- Put the date of the current custody order on the line after the words “entered on...” If you are filing a custody complaint with the petition and don’t have an existing custody order, write “complaint just filed” on this line.
- Put the name(s) of the child or children whose custody is provided for in the current custody order on the line(s) above “Name of Child”. If a new custody complaint is being filed put the names of the child or children listed in that complaint.
- Put each child’s date of birth on the line above “Date of Birth”.
- Check one of the two boxes indicating that you are attaching a complete copy of the current custody order to the Petition at the end or that you are filing a custody complaint at the same time as the Petition. **YOU MUST DO ONE OF THE TWO.**

Section 4.

- List all of the reasons you believe that an emergency exists, including specifically what happened, when it happened and what you are asking the Court to do – be as specific as possible. Attach additional pages if necessary.

Signature

- Sign your name on the line above “Petitioner’s Signature”.

Verification

- Put today’s date on the line next to “Date”.
- Sign your name on the line above “Petitioner’s Signature” to verify that all the statements that you have made in the Petition For Emergency Custody are true and correct to the best of your knowledge. You may be subject to criminal penalties if you make any statements in your Petition that you know are not true.

The Verification **MUST BE SIGNED.**

H. Instructions for Completing the Criminal Verification Form – (FORM 7)

STOP!!! REMOVE FORM 7. This form is also required by law. It must be filled out completely or you cannot file your Petition for Emergency Custody.

Caption:

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this

Petition, leave this blank and the Prothonotary's Office will assign a number when you file the documents in their office.

Verification

- Neatly print or type your name after the word "I" to verify that all the statements you will make in the Criminal Record/Abuse History Verification are true and correct to the best of your knowledge. You may be subject to criminal penalties if you make any statements that you know are not true.

Section 1

- Put an "X" in the box under the column labeled "Check all that apply" for every listed crime that you or a member of your household have been convicted of or plead guilty to.
- Put an "X" in the box under the column labeled "Self" for every listed crime that you were convicted of or plead guilty to.
- Put an "X" in the box under the column labeled "Other household member" for every listed crime that any member of your household has been convicted of or plead guilty to.
- Put the required day, month, and year for every crime under the column labeled "Date of conviction, etc."
- Put the number of days/months/years served in prison or jail, the number of days/months/years served on probation or other sentence under the column labeled "Sentence" for every crime you or a member of your household was convicted of or plead guilty to.

Section 2

- Put an "X" in the box under the column labeled "Check all that apply" if either listed situation applies to you or any member of your household.
- Put an "X" in the box before the option "Other" if there is an episode of abuse or violent conduct that is not covered in the listed situations that applies to you or any member of your household.
- Put an "X" in the box under the column labeled "Self" for every situation that applies to you.
- Put an "X" in the box under the column labeled "Other household member" for every situation that applies to a member of your household.
- Put the date of the violent or abusive episode under the column labeled "Date" for every situation that applies.

Section 3

- Write the evaluation, counseling or treatment received following a conviction or finding of abuse including, but not limited to: drug and alcohol treatment, psychiatric counseling, psychological counseling, medicine, etc. in the lines provided.

Section 4

- Write the name, date of birth, and relationship to child of any person who was convicted of one of the crimes listed in Section 1, but is not a part of this law suit.

Section 5

- If you know that the party you are filing against has a criminal/abuse history, please explain the details in the space provided including the types of crimes/abuse and the dates when it occurred. Please use the back of the form if you need more space.

Second Verification

- Sign your name on the line above "Signature" to verify that all the statements that you have made are true and correct to the best of your knowledge. Neatly print or type your name on the line above "Printed Name." You may be subject to criminal penalties if you make any statements in your Criminal/Abuse Verification that you know are not true. The Verification **MUST BE SIGNED**.

Service

Please note that a **blank** copy of this form must be sent to party you are filing against. This will be explained further in the next instruction section.

I. Instructions for Filing the Entry of Appearance, Cover Sheets, Petition for Emergency Custody and Criminal Verification.

Once you have filled out the Entry of Appearance, Cover Sheets, Notice, Petition for Emergency Custody and Criminal Verification, each must be filed with the McKean County Prothonotary. The case is initiated once these documents are filed.

- Make four (4) copies of the Entry of Appearance, Notice, Petition for Emergency Custody and Criminal Verification.
- Bring all four (4) copies, plus the original, of each document and the cover sheets to the McKean County Prothonotary's Office located at the Courthouse on 500 W. Main Street, Smethport, Pennsylvania.
- Have the Prothonotary time stamp the original and each copy of each document. The Prothonotary will keep the original for filing and will give one copy to the Family Law Office.
- Pay the filing fee.
- Keep the other three (3) copies.

J. Instructions for Serving the Petition for Emergency Custody, and Criminal Verification – (FORMS 8-10)

STOP!!! REMOVE FORMS 8-10. There are three (3) documents in this packet that can be used to prove that the person(s) you are filing the Petition for Emergency Custody against have been given a copy of the Notice, Petition for Emergency Custody, and **blank** Criminal Verification. Use Form 7 if you send them their copies by certified mail restricted to the addressee only and the mail is accepted; meaning you received the green card back with their signature. Use Form 8 if you send them their copies by certified mail restricted to addressee only, but they refuse to accept the certified mail; meaning you receive the documents back with a notation from the Postal Service that says "unclaimed." Please note that Form 9 must be signed in the presence a notary public. Use Form 9 if you hand a copy of the Petition for Emergency Custody and blank Criminal

Verification to the person you are filing against. YOU ONLY NEED TO COMPLETE ONE OF THESE FORMS.

Executing Proper Notice

You have two (2) options to properly provide notice. One, send a copy of the Petition for Emergency Custody and blank Criminal verification to the person you are filing against via certified **AND** first class mail. Two, hand a copy of the Petition for Emergency Custody and blank Criminal Verification to the person you are filing against.

First Option, the Mail

- Send one (1) copy of the Petition for Emergency Custody and **blank** Criminal Verification Form to the person you are filing against via certified mail, restricted delivery to addressee only, return receipt requested.
- Send one (1) copy of the Petition for Emergency Custody and **blank** Criminal Verification Form to the person you are filing against via First Class Mail.
- Fill out either Form 8 or Form 9.

Second Option, In Person

- Hand a copy of the Petition for Emergency Custody and blank Criminal Verification to the person you are filing against.
- Fill out Form 10.

Proof of Service (Certified Mail) (Form 7)

- Once you receive the green card back, continue onto the next steps. If you receive the documents back “unclaimed” move on to Form 9.
- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.
- Put the date you mailed the documents after the words “I hereby certify that on...”
- Put the address that you sent the documents to after the words “return receipt requested, at...”
- Put the green card on the form. THE ORIGINAL GREEN CARD MUST BE ATTACHED TO THIS FORM. You can tape it to a blank 8 ½ by 11 inch sheet of paper and paper clip that paper to this Form. DO NOT STAPLE THE GREEN CARD ONTO THE FORM.
- Put your signature on the line above the word “Plaintiff/Defendant.”
- Circle “Plaintiff or Defendant” accordingly.
- After this Form is completed, you must file it in the Prothonotary’s Office so the Court has proof that the person(s) you are filing against have been notified that you filed a Custody Complaint.

Affidavit of Service (Form 8)

If you mailed all of the necessary documents and they came back “unclaimed.”

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.
- Put your name on the line before the word “Plaintiff/Defendant.”
- Circle “Plaintiff or Defendant” accordingly.
- Put the address of the person you are filing against on the line before the word “address.”
- Put the date that you sent the certified mail on the line before the word “date.” DO NOT SIGN THE FORM YET.
- Take the filled out form to a Notary Public.
- In front of the Notary Public, sign your name on the line above “Plaintiff/Defendant.”
- Circle “Plaintiff or Defendant” accordingly.
- Have the Notary Public sign and date in the appropriate place on the form.
- After this Form is completed, you must file it in the Prothonotary’s Office so the Court has proof that the person(s) you attempted to give notice to the person(s) you are filing against.

Acceptance of Service (Form 9)

If you hand delivered all of the necessary documents to the person(s) you are filing against.

- The name of the person or persons who originally filed the custody complaint above the word “Plaintiff(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put your name here.
- The name of the person or persons who the original complaint was filed against above the word “Defendant(s)” (this may be you or the other Party – look at your existing Custody Order to be sure). If you are filing a complaint at the same time as this Petition, put the name of the person or persons you are filing against here.
- Fill in the Docket number next to “No.” on the right side of the caption – look at your existing Custody Order to get this number). If you are filing a complaint at the same time as this Petition, leave this blank and the Prothonotary’s Office will assign a number when you file the documents in their office.
- Put the date that the person you are filing against received the Petition for Emergency Custody
- Have the person you are filing against sign on the line above “Defendant/Plaintiff or Authorized Agent.”
- Have the person you are filing against circle “Plaintiff or Defendant” accordingly.
- Put the address of the person you are filing against on the line above “Mailing Address.”

- After this Form is completed, you must file it in the Prothonotary's Office so the Court has proof that the person(s) you are filing against have been notified that you filed a Petition for Emergency Custody.

III. Forms

- A. Entry of Appearance (Form 1)
- B. State Cover Sheet (Form 2)
- C. Local Cover Sheet (Form 3)
- D. Supplemental Cover Sheet (Form 4)
- E. Notice (Form 5)
- F. Petition for Emergency Custody (Form 6)
- G. Criminal/Abuse Verification (Form 7)
- H. Proof of Service (Form 8)
- I. Affidavit of Service (Form 9)
- J. Acceptance of Service (Form 10)

PLEASE DETACH THE FOLLOWING FORMS AND FILL IN THE FORMS WHILE
GOING THROUGH THE INSTRUCTIONS.

PLEASE NOTE THAT YOU DO NEED TO FILL IN AND USE ALL THE FORMS THAT
HAVE BEEN PROVIDED.

PLAINTIFF

vs.

IN THE COURT OF COMMON PLEAS
McKEAN COUNTY, PENNSYLVANIA

DEFENDANT

NO. _____

ENTRY OF APPEARANCE AS SELF-REPRESENTED PARTY

1. I am the ___ Plaintiff ___ Defendant in the above-captioned case.

2. I intend to represent myself in the X custody, ___ divorce case.

Check only one line in Question 3

3. ___ This is a new case and I am representing myself. I have decided not to hire an attorney to represent me. **OR**

___ This is not a new case and I am representing myself. I have decided not to hire an attorney to represent me. **OR**

___ This is not a new case. _____ previously
(Name of Attorney)

represented me in this case. I have decided not to be represented by that attorney and direct the Prothonotary to remove that attorney as my counsel of record in this case. I have provided a copy of this form to that attorney listed above at the following address:

That attorney has acknowledged his/her withdrawal from this case by signing this form.

_____, Esq.
(Attorney Signature)

4. ___ I am entering my appearance as a self-represented party _____
(Your Signature)

5. I understand that I need to provide a street address or P.O. Box for the purpose of receiving all future pleadings and other legal notices. I further understand that this does not need to be my home address. My address for the purpose of receiving all future pleadings and other legal notices is:

I understand that this address will be the only address to which notices and pleadings in this case will be sent and that I am responsible to check the mail at this address so I do not miss important deadlines or proceedings.

___ **I am not providing my address because I reside at a confidential location** protected by the Protection From Abuse Act, 23 Pa. C.S. § 6112 and/or the Address Confidentiality Program, 23 Pa. C.S. §6701-6713, and/or the Child Custody Act, 23 Pa. C.S. §5336(b).

6. My telephone number where I can be reached is _____.

___ **I am not providing my telephone number because it is confidential** pursuant to the Protection From Abuse Act, 23 Pa. C.S. § 6112 and/or the Child Custody Act, 23 Pa. C.S. § 5336(c).

7. I UNDERSTAND I MUST FILE A NEW FORM EVERY TIME MY ADDRESS OR TELEPHONE NUMBER CHANGES.

8. I understand that I must ensure that a copy of this form is served on all other attorneys or other self-represented parties at the following addresses as listed below: (Use reverse side if you need more space)

Name _____ Address _____

Name _____ Address _____

9. **I verify that the statements made in this Entry of Appearance as a Self-Represented Party are true and correct. I understand that if I make false statements herein, that I am subject to the criminal penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities that could result in a fine and/or prison term.**

Date

(Your Signature)

Plaintiff		: IN THE COURT OF COMMON PLEAS OF : McKEAN COUNTY, PENNSYLVANIA
vs.		: CIVIL DIVISION - ___ Law ___ Equity ___ Medical Professional Liability Action
Defendant		: NO. _____

LOCAL COVER SHEET

Dated: _____, 20____

1. Type of Pleading (e.g. Complaint in Divorce) Emergency Petition for Custody
2. By whom filed: ___ Plaintiff ___ Defendant Are monetary damages requested? ___ Yes X No
 Jury trial demanded ___ Yes X No Complex* ___ Yes X No Small Claim (<\$12,000) ___ Yes X No
 To be listed for Arbitration? ___ Yes X No *Note: A civil action is to be listed for Arbitration unless (1) the amount in controversy exceeds \$50,000 exclusive of interest and costs or (2) the case involves title to real property. * For definition: See Note following [L205.2\(b\)\(2\)](#).*

3. The plaintiff is represented by:

Attorney _____ Email _____
 Firm _____
 Address _____
 Tel. # _____ Fax # _____ Supreme Court ID No. _____

The plaintiff appears *pro se*:

Address _____
 Telephone number _____ Email _____

4. The defendant(s) is (are) represented by (attach a separate sheet of paper, if necessary):

Attorney _____ Email _____
 Firm _____
 Address _____
 Tel.# _____ Fax # _____ Supreme Court ID No. _____

The defendant(s) appear(s) *pro se* (attach a separate sheet of paper, if necessary):

Address _____
 Telephone number _____ Email _____

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet



County _____

<i>For Prothonotary Use Only:</i>		TIME STAMP
Docket No:		

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:	
<input checked="" type="checkbox"/> Complaint	<input type="checkbox"/> Writ of Summons
<input type="checkbox"/> Transfer from Another Jurisdiction	<input type="checkbox"/> Petition
	<input type="checkbox"/> Declaration of Taking
Lead Plaintiff's Name:	Lead Defendant's Name:
Are money damages requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dollar Amount Requested: (check one) <input type="checkbox"/> within arbitration limits <input type="checkbox"/> outside arbitration limits
Is this a Class Action Suit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an MDJ Appeal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: _____	
<input checked="" type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

SECTION B

Nature of the Case: Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

<p>TORT (do not include Mass Tort)</p> <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____	<p>CONTRACT (do not include Judgments)</p> <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____	<p>CIVIL APPEALS</p> <p>Administrative Agencies</p> <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____
<p>MASS TORT</p> <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____	<p>REAL PROPERTY</p> <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____	<p>MISCELLANEOUS</p> <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input checked="" type="checkbox"/> Other: Custody _____
<p>PROFESSIONAL LIABILITY</p> <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____		

Plaintiff

vs.

Defendant

IN THE COURT OF COMMON PLEAS
OF McKEAN COUNTY, PENNSYLVANIA
CIVIL DIVISION

NO. C.D. 2012

McKEAN COUNTY COURT OF COMMON PLEAS
SUPPLEMENT TO Pa.R.C.P. No. 205.5 COVER SHEET

FAMILY LAW

- Annulment
 Child Custody/Visitation
 Divorce
 Paternity

Divorce Counts

Check all that apply

- Alimony/Spousal Support
 Alimony *pendente lite*, counsel fees & costs
 Child Custody/Visitation
 Child Support
 Equitable Distribution/Property Rights

Other: _____

ORPHAN'S COURT

- Adoption
 Wills
 Administration of Estates
 Accounts
 Trust Estates
 Minors
 Incapacitated Persons
 Auditors & Masters
 Official Examiners
 Absentees & Presumed Decedents
 Real Property Transactions
 Non-Profit Corporations
 Other: _____

Nature of the Case

Petition for Emergency Custody

Note: Be brief and concise. Type or print legibly.

FORM 4

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

NOTICE

You, _____, have been sued in court to obtain emergency custody of the following child(ren):

If you fail to defend against the claims set forth in the following pages, an Order for custody or partial custody could be entered against you or the Court may issue a warrant for your arrest.

You must file with the Court a verification regarding any criminal record or abuse history regarding you and anyone living in your household on or before the initial in-person contact with the Court but not later than thirty (30) days after service of the complaint.

No party may make a change in residence of any child which significantly impairs the ability of the other party to exercise custodial rights without first complying with all of the applicable provisions of 23 Pa.C.S. § 5337 and Pa.R.C.P. No. 1915.17 regarding relocation.

YOU SHOULD TAKE THIS PAPER TO YOUR ATTORNEY AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT. 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 MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCE FEE OR NO FEE.

Northwestern Legal Services
100 Main Street
Bradford, PA 16701
(814) 362-6596
1-800-665-6957

AMERICANS WITH DISABILITIES ACT OF 1990: The Court of Common Pleas of McKean County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the court. You must attend the scheduled conference or hearing.

FORM 5

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

**FORM 6
IN THE COURT OF COMMON PLEAS OF**

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

PETITION FOR EMERGENCY CUSTODY

AND NOW, the Petitioner files this Petition for Emergency Custody and in support thereof, avers the following:

1. I, _____, Petitioner, currently reside at:

2. _____, Respondent, currently reside at:

3. A Custody Order ___ was not ___ was entered on _____, for the following children:

_____	_____
Name of Child	Date of Birth
_____	_____
Name of Child	Date of Birth
_____	_____
Name of Child	Date of Birth
_____	_____
Name of Child	Date of Birth
_____	_____
Name of Child	Date of Birth

- A true and correct copy of the most current Order is attached to this Petition at the end, OR
- A custody complaint was filed at the same time as this Petition.

FORM 7

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

CRIMINAL RECORD / ABUSE HISTORY VERIFICATION

I _____, hereby swear or affirm, subject to penalties of law including 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that:

1. Unless indicated by my checking the box next to a crime below, neither I nor any other member of my household have been convicted or pled guilty or pled no contest or was adjudicated delinquent where the record is publicly available pursuant to the Juvenile Act, 42 Pa.C.S. §6307 to any of the following crimes in Pennsylvania or a substantially equivalent crime in any other jurisdiction, including pending charges:

Check all that apply	Crime	Self	Other household member	Date of conviction, guilty plea, no contest plea or pending charges	Sentence
<input type="checkbox"/>	18 Pa.C.S. Ch. 25 (relating to criminal homicide)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2702 (relating to aggravated assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2706 (relating to terroristic threats)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2709.1 (relating to stalking)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2901 (relating to kidnapping)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2902 (relating to unlawful restraint)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 2903 (relating	<input type="checkbox"/>	<input type="checkbox"/>		

	to false imprisonment)				
<input type="checkbox"/>	18 Pa.C.S. § 2910 (relating to luring a child into a motor vehicle or structure)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3121 (relating to rape)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3122.1 (relating to statutory sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3124.1 (relating to sexual assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3125 (relating to aggravated indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3126 (relating to indecent assault)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3127 (relating to indecent exposure)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3129 (relating to sexual intercourse with animal)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3130 (relating to conduct relating to sex offenders)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 3301 (relating to arson and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 4302 (relating to incest)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 4303 (relating to concealing death of child)	<input type="checkbox"/>	<input type="checkbox"/>		

<input type="checkbox"/>	18 Pa.C.S. § 4304 (relating to endangering welfare of children)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 4305 (relating to dealing in infant children)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 5902(b) (relating to prostitution and related offenses)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 5903(c) or (d) (relating to obscene and other sexual materials and performances)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 6301 (relating to corruption of minors)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 6312 (relating to sexual abuse of children)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 6318 (relating to unlawful contact with minor)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	18 Pa.C.S. § 6320 (relating to sexual exploitation of children)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	23 Pa.C.S. § 6114 (relating to contempt for violation of protection order or agreement)	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Driving under the influence of drugs or alcohol	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	Manufacture, sale, delivery, holding, offering for sale or possession of any controlled substance or other drug or device	<input type="checkbox"/>	<input type="checkbox"/>		

2. Unless indicated by my checking the box next to an item below, neither I nor any other member of my household have a history of violent or abusive conduct or involvement with a Children and Youth agency, including the following:

Check all that apply		Self	Other household member	Date
<input type="checkbox"/>	A finding of abuse by a Children & Youth Agency or similar agency in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Abusive conduct as defined under the Protection from Abuse Act in Pennsylvania or similar statute in another jurisdiction	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Involvement with a Children and Youth agency in Pennsylvania or another jurisdiction. Where? _____	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Other:	<input type="checkbox"/>	<input type="checkbox"/>	

3. Please list any evaluation, counseling or other treatment received following conviction or finding of abuse:

4. If any conviction above applies to a household member, not a party, state that person's name, date of birth and relationship to the child.

5. If you are aware that the other party or members of the other party's household has or have a criminal/abuse history, please explain:

I verify that the information above is true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Signature

Printed Name

FORM 7

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

PROOF OF SERVICE

I hereby certify that on _____ (date), a copy of the notice, petition for emergency custody, and criminal verification was served upon Defendant by regular mail, postage pre-paid, and by certified mail, restricted delivery to addressee only, return receipt requested, at _____ (address). The return receipt signed by the defendant is attached.

Plaintiff

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

AFFIDAVIT OF SERVICE

_____ (plaintiff), being duly sworn according to the law deposes and states that he/she served a true and correct copy of the Petition, Notice, and Criminal Verification filed in this matter by certified/registered mail, return receipt requested, restricted to addressee only and also by regular mail at _____ (address), on _____ (date). The regular mail has not been returned within fifteen days after mailing. Attached to this affidavit is the returned letter with the notation that the defendant refused to accept delivery.

Plaintiff

Sworn and subscribed before me this _____ day of _____, 20_____.

Notary Public

_____ ,

Plaintiff,

vs.

_____ ,

Defendant.

IN THE COURT OF COMMON PLEAS OF

McKEAN COUNTY, PENNSYLVANIA

CIVIL DIVISION

NO. C.D.

ACCEPTANCE OF SERVICE

I accept service of the Petition for Emergency Custody, Notice, and Criminal Verification. I certify that I am authorized to accept service on behalf of Defendant.

Date

Defendant or Authorized Agent

Mailing Address

STATUTORY APPENDIX

23 Pa.C.S. § 6112 (Protection from Abuse)

During the course of a proceeding under this chapter, the court or hearing officer may consider whether the plaintiff or plaintiff's family is endangered by disclosure of the permanent or temporary address of the plaintiff or minor children. Neither in the pleadings nor during proceedings or hearings under this chapter shall the court or hearing officer require disclosure of the address of a domestic violence program. Where the court concludes that the defendant poses a threat of continued danger to the plaintiff and where the plaintiff requests that his or her address, telephone number and information about whereabouts not be disclosed, the court shall enter an order directing that law enforcement agencies, human service agencies and school districts (both in which a plaintiff's child in custody of the plaintiff is or has been enrolled) shall not disclose the presence of the plaintiff or the child in the jurisdiction or district or furnish any address, telephone number or any other demographic information about the plaintiff and child except by further order of the court.

23 Pa.C.S. § 6703

(a) Establishment.--The Office of Victim Advocate shall establish a program to be known as the Address Confidentiality Program. Upon application and certification, persons eligible under section 6704 (relating to persons eligible to apply) shall receive a confidential substitute address provided by the Office of Victim Advocate.

(b) Administration.--The Office of Victim Advocate shall forward all first class, registered and certified mail at no expense to a program participant within three business days. The Office of Victim Advocate may arrange to receive and forward other classes or kinds of mail at the program participant's expense.

(c) Notice.--Upon certification, the Office of Victim Advocate shall provide notice of participation and the program participant's substitute address to appropriate officials involved in an ongoing civil or criminal case in which a program participant is a victim, witness, plaintiff or defendant.

(d) Records.--All records relating to applicants and program participants are the property of the Office of Victim Advocate. These records, including program applications, participants' actual addresses and waiver proceedings, shall be kept confidential and shall not be subject to the provisions of the act of June 21, 1957 (P.L. 390, No. 212),¹ referred to as the Right-to-Know Law, except that records may be released as specifically set forth in this chapter and to a district attorney to the extent necessary for the prosecution of conduct as set forth in section 6711 (relating to penalties).

18 Pa.C.S. § 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.

(b) Statements “under penalty”.--A person commits a misdemeanor of the third degree if he makes a written false statement which he does not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable.

(c) Perjury provisions applicable.--Section 4902(c) through (f) of this title (relating to perjury) applies to this section.

(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 at least \$1,000.

Rule 1915.4. Prompt Disposition of Custody Cases

(a) Initial Contact With the Court. Depending upon the procedure in the judicial district, the parties' initial in-person contact with the court (including, but not limited to a conference with a conference officer pursuant to Rule 1915.4-2, a conference with a judge, conciliation, mediation and/or class/seminar) shall be scheduled to occur not later than 45 days from the filing of a complaint or petition.

(b) Listing Trials Before the Court. Depending upon the procedure in the judicial district, within 180 days of the filing of the complaint either the court shall automatically enter an order scheduling a trial before a judge or a party shall file a praecipe, motion or request for trial, except as otherwise provided in this subdivision. If it is not the practice of the court to automatically schedule trials and neither party files a praecipe, motion or request for trial within 180 days of filing of the pleading, the court shall, sua sponte or on motion of a party, dismiss the matter unless a party has been granted an extension for good cause shown, or the court finds that dismissal is not in the best interests of the child. The extension shall not exceed 60 days beyond the 180 day limit. A further reasonable extension may be granted by the court upon agreement of the parties or when the court finds, on the record, compelling circumstances for a further reasonable extension. If an extension is granted and, thereafter, neither party files a praecipe, motion or request for trial within the time period allowed by the extension, the court shall, sua sponte or on the motion of a party, dismiss the matter unless the court finds that dismissal is not in the best interests of the child. A motion to dismiss, pursuant to this rule, shall be filed and served upon the opposing party. The opposing party shall have 20 days from the date of service to file an objection. If no objection is filed, the court shall dismiss the case. Prior to a sua sponte dismissal, the court shall notify the parties of an intent to dismiss the case unless an objection is filed within 20 days of the date of the notice.

(c) Trial. Trials before a judge shall commence within 90 days of the date the scheduling order is entered. Trials and hearings shall be scheduled to be heard on consecutive days whenever possible but, if not on consecutive days, then the trial or hearing shall be concluded not later than 45 days from commencement.

(d) Prompt Decisions. The judge's decision shall be entered and filed within 15 days of the date upon which the trial is concluded unless, within that time, the court extends the date for such decision by order entered of record showing good cause for the extension. In no event shall an extension delay the entry of the court's decision more than 45 days after the conclusion of trial.

(e) Emergency or Special Relief. Nothing in this rule shall preclude a party from seeking, nor a court from ordering, emergency or interim special relief at any time after the commencement of the action.