

The forms being provided to you should only be used by those seeking a divorce on the grounds of mutual consent. If issues of custody, alimony, or division of marital property are involved, the forms **cannot** be used.

If using the forms, complete the following steps in the order they are numbered.

1. Fill out the Complaint in Divorce, the first page of which reads “NOTICE TO DEFEND AND CLAIM RIGHTS.” Fill out the Vital Records form which is attached to the Complaint.
2. If you do not think you can pay the filing fee, you can ask the Court to waive the costs. The form you need to fill out to have the costs waived is the “Affidavit of In Forma Pauperis Status.” The Court will review this Affidavit and decide whether or not you will have to pay the costs.
3. Take the Complaint and other forms to the Prothonotary’s Office to be filed. Ask someone in the Prothonotary’s Office to make a copy of the Complaint.
4. If you have filled out the Affidavit of In Forma Pauperis Status to have the costs waived, you must file this form in the Prothonotary’s Office immediately after filing the Complaint.
5. Mail the copy of the Complaint to the Defendant by certified mail, restricted delivery, return receipt requested, immediately after filing the Complaint, or have the Defendant sign the “Acceptance of Service” form which is included in this packet.
6. Wait at least 90 days after service of Complaint.
7. After at least 90 days, sign and date the Affidavit of Consent. Have the Defendant sign and date the other Affidavit of Consent form. File the two Affidavit of Consent forms in the Prothonotary’s Office within 30 days after they are signed.
8. Mail or deliver the Notice of Intention to Request Entry of Divorce Decree and the Counter-Affidavit under § 3301(c) of the Divorce Code to Defendant. Or, instead of mailing the Notice, have the Defendant sign the Waiver of Notice form and file the form in the Prothonotary’s Office.
9. Wait at least twenty days after mailing the Intention to Request Entry of Divorce Decree. (If the Waiver of Notice was signed, you do not have to wait twenty days). Fill out the Praeceptum to Transmit Record form, sign it and take it or mail it to the Prothonotary’s Office to be filed.
10. You will be mailed a copy of the Decree granting you a divorce.
11. If you have questions about filling out the forms, call 893-4014.

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a Decree of Divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary which is on the first floor of the Clinton County Courthouse, Corner of Jay and Water Streets, Lock Haven, Pennsylvania.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER 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 WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Court of Common Pleas of Clinton County
Clinton County Courthouse
Lock Haven, PA 17745
(570) 893-4016

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

COMPLAINT IN DIVORCE

(Under Section 23 Pa. C.S.A. § 3301(c) - Mutual Consent)

1. Plaintiff is _____, Social Security
(name)

No. _____, who currently resides at _____,
(address)

_____, _____, _____,
(city) (county) (state)

_____, and has resided there since _____.
(telephone number) (date)

2. Defendant is _____, Social Security
(name)

No. _____, who currently resides at _____,
(address)

_____, _____, _____,
(city) (county) (state)

_____, and has resided there since _____.
(telephone number) (date)

3. _____ has/have been a bona fide
(Plaintiff and/or Defendant)

resident(s) in the Commonwealth for at least six months immediately previous to
the filing of this Complaint.

4. Plaintiff and Defendant were married on _____ at
(date)
_____, _____, _____
(city) (county) (state)

5. There have been no prior actions of divorce or for annulment between the parties
except _____. (if no prior actions, leave
blank; if prior action indicate date and place of action.)

6. The marriage is irretrievably broken.

7. Plaintiff has been advised that counseling is available and that Plaintiff may have
the right to request that the Court require the parties to participate in counseling.

8. Plaintiff requests the Court to enter a Decree of Divorce.

I verify that the statements made in this Complaint are true and correct. 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)
Plaintiff

Date: _____

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HEALTH
VITAL RECORDS

COUNTY

RECORD OF
DIVORCE OR ANNULMENT
 (CHECK ONE)

STATE FILE NUMBER
STATE FILE DATE

HUSBAND

1. NAME (First) (Middle) (Last)			2. DATE OF BIRTH (Month) (Day) (Year)		
3. RESIDENCE Street or R.D. City, Borough or Twp. County State			4. PLACE OF BIRTH (State or Foreign Country)		
5. NUMBER OF THIS MARRIAGE	6. RACE WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		7. USUAL OCCUPATION		

WIFE

8. MAIDEN NAME (First) (Middle) (Last)			9. DATE OF BIRTH (Month) (Day) (Year)		
10. RESIDENCE Street or R.D. City, Borough or Twp. County State			11. PLACE OF BIRTH (State or Foreign Country)		
12. NUMBER OF THIS MARRIAGE	13. RACE WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		14. USUAL OCCUPATION		
15. PLACE OF THIS MARRIAGE (County) (State or Foreign Country)			16. DATE OF THIS MARRIAGE (Month) (Day) (Year)		
17A. NUMBER OF CHILDREN THIS MARRIAGE	17B. NUMBER OF DEPENDENT CHILDREN UNDER 18	18. PLAINTIFF HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>		19. DECREE GRANTED TO HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>	
20. NUMBER OF CHILDREN TO CUSTODY OF HUSBAND <input type="checkbox"/> WIFE <input type="checkbox"/> SPLIT CUSTODY <input type="checkbox"/> OTHER (Specify) <input type="checkbox"/>	21. LEGAL GROUNDS FOR DIVORCE OR ANNULMENT				
22. DATE OF DECREE (Month) (Day) (Year)	23. DATE REPORT SENT TO VITAL RECORDS (Month) (Day) (Year)				
24. SIGNATURE OF TRANSCRIBING CLERK					

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____)
Defendant)
IN DIVORCE

AFFIDAVIT OF IN FORMA PAUPERIS STATUS

1. I am the (Plaintiff) (Defendant) (circle one) in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: _____
Address: _____
Social Security Number: _____

(b) Employment:
If you are presently employed, state:
Employer: _____
Address: _____
Salary or wages per month: _____
Type of work: _____

(c) Other income within past twelve months:
Business or profession: _____
Other self-employment: _____
Interest: _____
Dividends: _____
Pension or annuities: _____
Social security benefits: _____
Support payments: _____
Disability payments: _____
Unemployment compensation and supplemental benefits: _____
Workers' compensation: _____
Public assistance: _____
Other: _____

(d) Other contributions to household support:

(Wife) (Husband) Name: _____

If your (wife) (husband) is employed, state:

Employer: _____

Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

(e) Property owned:

Cash: _____

Checking account: _____

Savings account: _____

Certificates of deposit: _____

Real estate (including home): _____

Motor vehicle: Make _____, Year _____

Cost _____, Amount Owed \$ _____

Stocks, bonds: _____

Other: _____

(f) Debts and obligations:

Mortgage: _____

Rent: _____

Loans: _____

Other: _____

(g) Persons dependent upon you for support:

(Wife) (Husband) Name: _____

Children, if any:

Name: _____ Age: _____

Other persons:

Name: _____

Relationship: _____

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in the affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____

(signature)
Petitioner

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant) IN DIVORCE

ACCEPTANCE OF SERVICE

I accept service of the Complaint in Divorce.

(date)

(signature)
Defendant

(mailing address of Defendant)

After signing this form, take it to the Prothonotary's Office to be filed or mail it to the Prothonotary's Office, P.O. Box 630, Lock Haven, PA 17745.

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on _____.
(date Complaint filed in Prothonotary's Office)

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of the filing of the Complaint.

3. I consent to the entry of a final Decree of Divorce after service of Notice of Intention to Request Entry of the Decree.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

(signature)
(Plaintiff) or (Defendant) (circle one)

(Sign and file 90 days or more after Complaint is filed and served.)
(File within 30 days after signing)

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

AFFIDAVIT OF CONSENT

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on _____.
(date Complaint filed in Prothonotary's Office)

2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety days have elapsed from the date of the filing of the Complaint.

3. I consent to the entry of a final Decree of Divorce after service of Notice of Intention to Request Entry of the Decree.

I verify that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

(signature)
(Plaintiff) or (Defendant) (circle one)

(Sign and file 90 days or more after Complaint is filed and served.)
(File within 30 days after signing)

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE

TO: _____
(Defendant)

You have been sued in an action for divorce. You have failed to answer the Complaint or file a Counter-Affidavit to the Plaintiff's Affidavit. Therefore, on or after _____, 20_____, the Plaintiff can (twenty days after this notice was mailed to Defendant) request the Court to enter a final Decree in Divorce.

If you do not file with the Prothonotary of the Court an Answer with your signature notarized or verified or a Counter-Affidavit by the above date, the Court can enter a final Decree in Divorce. Unless you have already filed with the Court a written claim for economic relief, you must do so by the above date or the Court may grant the divorce and you will lose forever the right to ask for economic relief. **A COUNTER-AFFIDAVIT WHICH YOU MAY FILE WITH THE PROTHONOTARY OF THE COURT IS ATTACHED TO THIS NOTICE.**

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER 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 WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Court of Common Pleas of Clinton County
Clinton County Courthouse
Lock Haven, PA 17745
(570) 893-4016

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

COUNTER-AFFIDAVIT UNDER § 3301(c) OF THE DIVORCE CODE

I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I understand that I must file my economic claims with the Prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the Divorce Decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

I verify that the statements made in this Counter-Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____

Plaintiff/Defendant

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

**Waiver of Notice of Intention to Request
Entry of a Divorce Decree under
§3301(c) of the Divorce Code**

- 1. I consent to the entry of a final Decree of Divorce without notice.
- 2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
- 3. I understand that I will not be divorced until a Divorce Decree is entered by the Court and that a copy of the Decree will be sent to me immediately after it is filed with the Prothonotary.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff/Defendant

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant)
IN DIVORCE

**Waiver of Notice of Intention to Request
Entry of a Divorce Decree under
§3301(c) of the Divorce Code**

1. I consent to the entry of a final Decree of Divorce without notice.
2. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.
3. I understand that I will not be divorced until a Divorce Decree is entered by the Court and that a copy of the Decree will be sent to me immediately after it is filed with the Prothonotary.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff/Defendant

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

_____,)
Plaintiff)
v.) NO. _____ (Civil)
_____,)
Defendant) IN DIVORCE

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the Court for entry of a Divorce Decree:

1. Ground for divorce: irretrievable breakdown under Section 3301(c) of the Divorce Code.

2. Date and manner of service of the Complaint: (Circle method of service)

I mailed a copy of the Complaint to Defendant on _____; or
(date Complaint mailed)

Defendant signed the Acceptance of Service form on _____.
(date form signed)

3. Date of execution of the Affidavit of Consent required by Section 3301(c) of the Divorce Code: by Plaintiff _____; by Defendant
(date Plaintiff signed Affidavit)

(date Defendant signed Affidavit)

4. Related claims pending: none.

(signature)

(File after Affidavit of Consent forms have been signed by Plaintiff and Defendant and filed.)