

# **Appendix C: Blank Forms for Consent Divorces**

Attorney for Plaintiff

\_\_\_\_\_

: COURT OF COMMON PLEAS  
: PHILADELPHIA COUNTY  
: FAMILY DIVISION

vs.

: TERM,

: NO.

:

NOTICE TO DEFEND AND CLAIM RIGHTS

ADVERTENCI

ADVERTENCIA SOBRE COMO DEFENDERSE Y RECLAMAR DERECHOS

You have been sued in court for

- Divorce
- Support
- Alimony
- Costs
- Attorney Costs
- Annulment of Marriage
- Division of Property
- Custody & Visitation
- Temporary Alimony

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 of your children.

When the ground for the divorce is indignities or separation, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at 1501 Arch Street, Philadelphia, PA 19102.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR AN 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.

PHILADELPHIA BAR ASSOCIATION  
LAWYER REFERRAL AND INFORMATION SERVICE  
One Reading Center  
Philadelphia, PA 19107  
Telephone (215) 238-6333

Usted ha sido demandado en court para

- Divorcio
- Pensión Almenticia (Mantenimiento)
- Pensión Alimenticia
- Costos
- Costos de Abogado
- Anulación
- Division de Propiedad
- Custodia y Visitacion
- Pensión Alimenticia
- Pensión Alimenticia Temporaría

Usted ha sido demandado en court. Si usted desea defender el reclamo puesto en contra suya en las siguientes páginas, tiene que tomar acción inmediatamente. Se le advierte que si falla en hacerlo, el caso puede ser procesado sin usted por la corte. Un juicio también puede ser registrado en su contra por cualquier otro reclamo o petición requerida en estos papeles por el querellante. Usted puede perder dinero, propiedad u otros derechos importantes para usted, incluyendo custodia o visitación para sus hijos.

Cuando la causa del divorcio es maltrato o trastorno irreparable en el matrimonio, usted debe solicitar consejera matrimonial. Una lista de oficinas del protonotario en Cuarto 286 de la Alcaldía, Filadélfia, PA 19107 (1501 Arch Street, Filadelfia, PA 19102)

SI USTED NO REGISTRA UN RECLAMO PARA LA PENSIÓN ALIMENTICIA, LA REPARTICION DE PROPIEDADES, EL HONORARIO DEL ABOGADO O GASTOS DE QUE EL DIVORCIO O ANULACIÓN SEA OTORGADO, USTED PUEDE PERDER EL DERECHO DE RECLAMAR CUALQUIERA DE ESTOS. USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE.

SI USTED NO TIENE UN ABOGADO O NO PUEDE PAGAR POR LOS SERVICIOS DE UNO, VAYA O LLAME A LA OFINCINA INDICADA, PARA AVERIGUAR DONDE PUEDE OBTENER ASISTENCIA LEGAL.

PHILADELPHIA BAR ASSOCIATION  
SERVICIO DE REFERENCIA E INFORMACION LEGAL  
One Reading Center  
Filadélfia, Pennsylvania 19107  
Teléfono: (215) 238-6333

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Former Domestic Relations Proceedings:  Yes  No Domestic Relations No.  
If child support is claimed, is such child or children receiving Public Assistance  Yes  No

Attorney for Plaintiff

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Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
Defendant. : FAMILY DIVISION  
: TERM,  
: NO.

**COUNSELING NOTICE**

The Divorce Code of Pennsylvania requires that you be notified of the availability of counseling where a divorce is sought under any of the following grounds:

- Section 3301(a)(6) - Indignities
- Section 3301(c) - Irretrievable Breakdown  
Mutual consent
- Section 3301(d) - Irretrievable Breakdown  
\_\_\_\_\_ year separation -  
where the Court determines that there is  
a reasonable prospect of reconciliation.

A list of qualified professionals is available for inspection in the Office of the Clerk of Family Court, 1501 Arch Street, Philadelphia, PA, or in the Office of the Administrator, Domestic Relations Branch of the Family Court of Philadelphia, 1501 Arch Street, Philadelphia, PA.

Attorney for Plaintiff

\_\_\_\_\_

Plaintiff : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
 : FAMILY DIVISION  
 :  
Defendant : NO. TERM,

**COMPLAINT IN DIVORCE  
COUNT I  
Dissolution of Marriage**

1. Plaintiff, \_\_\_\_\_, currently resides at \_\_\_\_\_.
2. Defendant, \_\_\_\_\_, currently resides at \_\_\_\_\_.
3. Plaintiff and defendant are sui juris, and \_\_\_\_\_ been \_\_\_\_\_ of the Commonwealth of Pennsylvania for a period of more than six (6) months immediately preceding the filing of this Complaint.
4. The parties were married on \_\_\_\_\_, in \_\_\_\_\_. A photocopy of the marriage certificate is attached hereto, made a part hereof and marked as Exhibit "A."
5. Neither plaintiff nor defendant is in the military or naval service of the United States or its allies within the provisions of the Service Members' Civil Relief Act of 2003.
6. There have been no prior actions of divorce or for annulment between the parties.
7. The parties have not entered into a written agreement as to equitable distribution of marital property, alimony, alimony pendente lite, spousal support, counsel fees and costs.
8. Plaintiff acknowledges that \_\_\_\_\_ has been advised of the availability of counseling between the parties and that \_\_\_\_\_ may have the right to request that the court require that parties to participate in such counseling in certain instances.

9. Plaintiff alleges the following grounds for the dissolution of the marriage: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. On \_\_\_\_\_, the defendant was convicted of a personal injury crime of \_\_\_\_\_.

WHEREFORE, Plaintiff requests your Honorable Court to enter a decree in divorce pursuant to Section 3301(c) upon the filing of the consent affidavit of plaintiff alone, with a presumption of defendant's consent under Section 3301(c)(2) of the Divorce Code or pursuant to Section 3301(d) of the Divorce Code.

\_\_\_\_\_

**VERIFICATION**

Plaintiff verifies that the statements made in this Complaint in Divorce are true and correct. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_

DATE \_\_\_\_\_

## DOMESTIC RELATIONS INFORMATION SHEET

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DATE

CP. NO.

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**HUSBAND'S**

FIRST NAME

MIDDLE INITIAL

LAST NAME

ALIAS, IF ANY

---

MAILING ADDRESS

RESIDENTIAL ADDRESS (IF DIFFERENT)

---

DATE OF BIRTH

SOCIAL SECURITY NUMBER

DPW NUMBER

---

PLACE OF EMPLOYMENT

PHONE

---

OCCUPATION

SALARY

---

ATTORNEY'S NAME AND ADDRESS

ATTORNEY ID NUMBER

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**WIFE'S**

FIRST NAME

MIDDLE INITIAL MAIDEN NAME LAST NAME

ALIAS, IF ANY

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MAILING ADDRESS

RESIDENTIAL ADDRESS (IF DIFFERENT)

---

DATE OF BIRTH

SOCIAL SECURITY NUMBER

DPW NUMBER

---

PLACE OF EMPLOYMENT

PHONE

---

OCCUPATION

SALARY

---

ATTORNEY'S NAME AND ADDRESS

ATTORNEY ID NUMBER

---

DATE OF MARRIAGE

PLACE OF MARRIAGE

DATE OF SEPARATION

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Plaintiff, : COURT OF COMMON PLEAS  
 : PHILADELPHIA COUNTY  
vs. : FAMILY DIVISION  
 :  
 : TERM,  
Defendant. : NO.

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_, upon consideration of the foregoing Petition and attached Poverty Affidavit (if applicable), it is hereby ORDERED that the petitioner be excused from payment of the filing fees in this matter.

BY THE COURT

\_\_\_\_\_  
J.



Attorney for Plaintiff

\_\_\_\_\_

Plaintiff, : COURT OF COMMON PLEAS  
 : PHILADELPHIA COUNTY  
vs. : FAMILY DIVISION  
 :  
 :  
Defendant. : TERM,  
 : NO.

**POVERTY AFFIDAVIT**

1. I, \_\_\_\_\_, wish to file a Complaint in Divorce and because of my financial condition, I am unable to pay the fees and costs of prosecuting this action.
2. I am unable to obtain funds from anyone, including my family and friends, to pay this fee.
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: \_\_\_\_\_

**Employment**

- (b) If you are presently employed, state:  
Employer: \_\_\_\_\_  
Employer address: \_\_\_\_\_  
Salary or wages per month: \_\_\_\_\_  
Type of work: \_\_\_\_\_
- (c) If you are unemployed, state:  
Date of last employment: \_\_\_\_\_  
Salary or wages per month: \_\_\_\_\_  
Type of work: \_\_\_\_\_

Other income within the past twelve months:

Business or profession: \_\_\_\_\_  
Other self-employment: \_\_\_\_\_ Support payments: \_\_\_\_\_  
Interest: \_\_\_\_\_ Disability payments: \_\_\_\_\_  
Dividends: \_\_\_\_\_ Unemployment compensation and/or  
Pension & annuities: \_\_\_\_\_ supplemental benefits: \_\_\_\_\_  
Social Security benefits: \_\_\_\_\_ Public assistance/welfare: \_\_\_\_\_  
Worker's compensation: \_\_\_\_\_ Other: \_\_\_\_\_

(d) Other contributions to household support:

Wife/Husband (circle one): Name: \_\_\_\_\_  
If your wife/husband is employed, state:  
Employer: \_\_\_\_\_  
Salary or wages per month: \_\_\_\_\_  
Type of work: \_\_\_\_\_  
Contributions from children: \_\_\_\_\_ (per month)  
Contributions from parents: \_\_\_\_\_ (per month)  
Other contributions: \_\_\_\_\_ (per month)

(e) Property owned:

Cash: \_\_\_\_\_  
Checking account: \_\_\_\_\_ Savings account: \_\_\_\_\_  
Stocks, Bonds: \_\_\_\_\_ Certificates of deposit: \_\_\_\_\_  
Real estate (including home): \_\_\_\_\_  
Motor vehicle: Make \_\_\_\_\_ Year: \_\_\_\_\_  
Cost: \_\_\_\_\_ Amount owed: \_\_\_\_\_  
Other: \_\_\_\_\_  
\_\_\_\_\_

(f) Debts and obligations:

Mortgage: \_\_\_\_\_ Rent: \_\_\_\_\_  
Loans: \_\_\_\_\_ Credit cards: \_\_\_\_\_  
Utilities: \_\_\_\_\_ Tuition: \_\_\_\_\_  
Other: \_\_\_\_\_

(g) Persons dependent upon you for support:

Child(ren) names:	Ages(s)
_____	_____
_____	_____
_____	_____
Others: Name(s)	Relationship
_____	_____
_____	_____
_____	_____

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances that would permit me to pay the costs incurred herein.
5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
Date signed

\_\_\_\_\_

Attorney for Plaintiff

Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
 : FAMILY DIVISION  
 :  
 : TERM, 20  
Defendant. : NO.

**ACCEPTANCE OF SERVICE**

I, \_\_\_\_\_, defendant in this divorce action, hereby certify that I personally received a copy of the complaint in divorce and counseling notice on or about \_\_\_\_\_.

\_\_\_\_\_

Date: \_\_\_\_\_

Attorney for Plaintiff

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Plaintiff,

vs.

Defendant.

: COURT OF COMMON PLEAS  
: PHILADELPHIA COUNTY  
: FAMILY DIVISION  
:  
: TERM, 20  
: NO.

**PRAECIPE TO REINSTATE COMPLAINT IN DIVORCE**

TO THE PROTHONOTARY:

Kindly reinstate the above-captioned complaint in divorce.

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Attorney for Plaintiff

\_\_\_\_\_

Plaintiff,

vs.

Defendant.

: COURT OF COMMON PLEAS  
: PHILADELPHIA COUNTY  
: FAMILY DIVISION  
:  
: TERM, 20  
: NO.

**VERIFICATION OF SIGNATURE**

\_\_\_\_\_, plaintiff in the above case, verifies that \_\_\_\_\_ is fully familiar with the signature and handwriting of \_\_\_\_\_, the defendant; and that the signature appearing on the \_\_\_\_\_ attached here as Exhibit "A", is in the handwriting of the defendant and is \_\_\_\_\_ signature. Plaintiff understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_

Date: \_\_\_\_\_

Attorney for Plaintiff

\_\_\_\_\_

Plaintiff,	:	COURT OF COMMON PLEAS
	:	PHILADELPHIA COUNTY
vs.	:	FAMILY DIVISION
	:	
	:	TERM, 20
Defendant.	:	NO.

**CERTIFICATION OF SERVICE BY CERTIFIED MAIL**

\_\_\_\_\_, pro se, state that on or about \_\_\_\_\_, I did notify the defendant \_\_\_\_\_ of this action by mailing a true and correct copy of the Complaint in Divorce in the above-entitled action, together with a Notice of Counseling, by certified mail number \_\_\_\_\_, restricted delivery, with a return card attachment, addressed to defendant at \_\_\_\_\_. On or about \_\_\_\_\_, I received the return receipt card to certified article number \_\_\_\_\_, which had been attached to the envelope containing the aforementioned papers, from the U.S Postal Service, which receipt had been signed by \_\_\_\_\_ on \_\_\_\_\_. Said Certified Article Receipt and Return Card are attached hereto and made a part hereof, marked Exhibit "A".

I verify that the statements made in this pleading are true and correct. She understands that false statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_

Attorney for Plaintiff

\_\_\_\_\_

Plaintiff,	:	COURT OF COMMON PLEAS
	:	PHILADELPHIA COUNTY
vs.	:	FAMILY DIVISION
	:	
	:	TERM, 20
Defendant.	:	NO.

**AFFIDAVIT OF SERVICE**

COMMONWEALTH OF PENNSYLVANIA	:
	SS.
COUNTY OF PHILADELPHIA	:

\_\_\_\_\_, being duly sworn according to law, deposes and says that, at the request of \_\_\_\_\_, pro se plaintiff in the above-captioned matter, s/he did, on \_\_\_\_\_, at approximately \_\_\_\_\_, serve on the defendant \_\_\_\_\_, at \_\_\_\_\_, Philadelphia, Pennsylvania, a true and correct copy of the Complaint in Divorce, together with a Notice of Counseling.

\_\_\_\_\_

Sworn to and subscribed

before me this \_\_\_\_ day

of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC



Attorney for Plaintiff

\_\_\_\_\_  
Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
 : FAMILY DIVISION  
 :  
Defendant. : TERM, 20  
 : NO.

**AFFIDAVIT OF CONSENT UNDER SECTION 3301(c)  
OF THE DIVORCE CODE**

1. A Complaint in Divorce under Section 3301(c) of the Divorce Code was filed on \_\_\_\_\_ and served on \_\_\_\_\_.
2. The marriage of Plaintiff and Defendant is irretrievably broken and ninety (90) days have elapsed from the date of filing and service of the Complaint.
3. I consent to the entry of a final decree in divorce.

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. Section 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Attorney for Plaintiff

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Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
 : FAMILY DIVISION  
 :  
 : TERM, 20  
Defendant. : NO.

**WAIVER OF NOTICE OF INTENTION  
TO REQUEST ENTRY OF A DIVORCE DECREE  
UNDER SECTION 3301(c) OF THE DIVORCE CODE**

1. I consent to the entry of a final decree in 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. Section 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Attorney for Plaintiff

\_\_\_\_\_  
Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
 : FAMILY DIVISION  
 :  
 : TERM, 20  
Defendant. : NO.

**PRAECIPE TO TRANSMIT RECORD**

Please transmit the record, together with the following information, to the Court for entry of a final decree in divorce:

1. Grounds for divorce: Irretrievable breakdown under Section 3301(c) of the Divorce Code.
2. The complaint was served on Defendant as of \_\_\_\_\_, in the following manner:  
\_\_\_\_\_.
3. Date of execution of the Affidavit of Consent required by Section 3301(c) or (d) of the Divorce Code: by Plaintiff: \_\_\_\_\_ by Defendant: \_\_\_\_\_.
4. (a) The following related claims are still pending: \_\_\_\_\_.  
(b) The following claims are withdrawn: \_\_\_\_\_.  
(c) The following claims have been settled by agreement of the parties: \_\_\_\_\_.  
(d) There is no written agreement to be incorporated into the final decree in this divorce.
5. Check either paragraph (a) or (b):  
(a) \_\_\_\_\_ Defendant's Waiver of Notice in Section 3301(c) Divorce was filed with the Clerk of Family Court together with this praecipe.  
  
(b) \_\_\_\_\_ Notice of Intent to file Praecipe to Transmit required by Rule 1920.42 was mailed to Defendant on \_\_\_\_\_ and a copy thereof is attached.
6. I certify that all other documents required by Rule 1920.42\*(e) are attached hereto

\_\_\_\_\_

**DO NOT USE THIS FORM. YOU MUST OBTAIN AN OFFICIAL FORM FROM THE OFFICE OF THE CLERK OF COURT AT FAMILY COURT.**

Plaintiff, : TERM, 20  
: NO.  
vs. :  
: IN DIVORCE - CAUSE: 3301(c)  
Defendant. : *Irretrievable Breakdown - Mutual Consent*

**Decree and Order**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is ordered and decreed that  
\_\_\_\_\_ and \_\_\_\_\_ are hereby  
divorced from the bonds of matrimony

[red seal]

BY THE COURT:

\_\_\_\_\_  
J.

Attorney for Plaintiff

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Plaintiff, : COURT OF COMMON PLEAS  
vs. : PHILADELPHIA COUNTY  
Defendant. : FAMILY DIVISION  
: TERM, 20  
: NO.

**NOTICE OF INTENT TO FILE PRAECIPE TO TRANSMIT RECORD**

You are hereby given notice that twenty days following the mailing of this notice, a Praecipe to Transmit Record, together with a proposed Final Decree in Divorce, will be filed in this matter with the Office of the Clerk of Family Court, 1501 Arch Street, Philadelphia, PA. Exact copies of the Praecipe and the proposed Final Decree are enclosed herewith.

After the Praecipe and proposed Final Decree are filed, you will have a period of ten days during which you may file objections to the entry of the Final Decree based upon this Praecipe. If you dispute any of the information on the Praecipe or the Final Decree you must act within that ten-day period. Any objections must be filed in writing with the Office of the Clerk of Family Court, 1501 Arch Street, Philadelphia, PA.. If no objections are filed before the expiration of the ten-day period, this case will be submitted to the Court for entry of the Final Decree.

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Attorney for Plaintiff

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Plaintiff, : COURT OF COMMON PLEAS  
: PHILADELPHIA COUNTY  
vs. : FAMILY DIVISION  
: TERM, 20  
Defendant. : NO.

**DEFENDANT’S COUNTER-AFFIDAVIT  
UNDER SECTION 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 dates 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 statement herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

**NOTICE: IF YOU DO NOT WISH TO CLAIM ECONOMIC RELIEF,  
YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.**