

## **1915.7      AGREEMENTS**

### **(a)      Agreements filed contemporaneously with the custody complaint:**

1.      When the parties reach an agreement prior to the filing of the custody complaint, either party shall file the original and one copy of the custody complaint with the Prothonotary and bring the original signed custody agreement to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary at the same time that the custody complaint is filed. The agreement will be filed with the Prothonotary as an attachment to the Court Order.
2.      The agreement shall be signed by all parties and the signatures shall be witnessed or notarized unless the agreement is reached before the Custody Conference Officer or the Court.
3.      The agreement shall contain a proposed order of court with a distribution legend.
4.      An administrative fee of \$150.00 shall be paid to the Prothonotary in accordance with Rule 1915.3 (a) or (b).
5.      Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at the Dauphin County Website on the Self-Help Center page.

### **(b)      Agreements to modify existing custody orders:**

1.      When the parties agree to modify an existing custody order, the original agreement and proposed order shall be taken to the Court Administrator's Office for assignment to a Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order. A petition for modification of a custody order should not be filed. There shall be no administrative fee paid to the Prothonotary for the modification of an existing custody order when no petition for modification of a custody order has been filed.
2.      The agreement shall be signed by all parties and the signatures shall be witnessed or notarized.
3.      The agreement shall contain a proposed order of court with a distribution legend.

4. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at the Dauphin County Website on the Self-Help Center page.
- (c) Agreements reached after the complaint or petition for modification of a custody order is assigned to a Custody Conference Officer:
1. If at any time prior to the Custody Conference the parties are able to agree upon custody, the parties shall take the original signed agreement to the Court Administrator's Office for assignment to a Family Court Judge. The custody agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court Order. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized. The agreement shall contain a proposed order of court with a distribution legend.
  2. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at the Dauphin County Website on the Self-Help Center page.
- (d) Agreements reached after a custody matter has been assigned to a judge:
1. If at any time prior to a conference or hearing before the assigned judge an agreement is reached regarding custody, the parties shall take the original signed agreement to the Court Administrator's Office for assignment to the assigned Family Court Judge. The agreement shall not be filed with the Prothonotary but will be filed as an attachment to the Court order. The agreement shall be signed by all parties and the signatures shall be witnessed or notarized. Upon presentation of the agreement and consent order, the Court may, in its discretion, enter an order without taking testimony.
  2. The parties or children need not be present at a scheduled pretrial conference or hearing before a judge when an agreement has been reached prior to the conference or hearing unless the Court so directs.
  3. Agreements shall contain a paragraph regarding the parties' responsibilities if one party seeks permission to relocate when such relocation will significantly impair the ability of a non-relocating party to

exercise his or her custodial rights. The agreement shall contain the language and exhibit used by the Court posted at the Dauphin County Website on the Self-Help Center page. .