

_____,
Plaintiff,
vs.
_____,
Defendant.

: **IN THE COURT OF COMMON PLEAS**
: **LAWRENCE COUNTY, PENNSYLVANIA**
: **DOCKET NO. _____ OF 20__, C.A.**

PRE-TRIAL STATEMENT

THIS PRE-TRIAL STATEMENT SHALL BE FILED AT THE PROTHONOTARY OF LAWRENCE COUNTY AT LEAST FIVE (5) DAYS PRIOR TO THE SCHEDULED PRE-TRIAL CONFERENCE AND A FILE-STAMPED COPY DELIVERED TO THE COURT THROUGH THE COURT ADMINISTRATOR’S OFFICE.

THE PARTY WILL BE EXCLUDED FROM PRESENTING ANY EVIDENCE OR CALLING ANY WITNESSES NOT LISTED IN THE PRETRIAL STATEMENT AT THE TIME OF THE CUSTODY TRIAL.

NAME: _____

ADDRESS: _____

WITNESSES/EXHIBITS

1. List the name and address of each expert witness which you intend to call at the time of the Custody Trial:

<u>NAME</u>	<u>ADDRESS</u>

POSITION OF PARTY SUBMITTING PRE-TRIAL STATEMENT

For the following, please describe your position relating to the relevant custody factors pursuant to 23 Pa.C.S.A. § 5328(a).

1. Which party is more likely to ensure the safety of the child(ren).

2. The past and present abuse committed by a party or member of the party's household, which may include past or current protection from abuse or sexual violence protection orders where there has been a finding of abuse.

- 2.1. The information set forth in section 5329.1(a) (relating to consideration of child abuse and involvement with protective services). Please include any involvement regarding child abuse or involvement with a child protective services agency.

2.2. Violent or assaultive behavior committed by a party or any members of that party's household.

2.3(i). The level of cooperation and conflict between the parties, including which party is more likely to encourage and permit frequent and continuing contact between the child(ren) and the other party or parties if contact is consistent with the needs of the child(ren).

2.3.(ii). The level of cooperation and conflict between the parties, including the attempts by a party to turn the child(ren) against the other party, except in cases of abuse where reasonable safety measures are necessary to protect the safety of the child(ren).

3. The willingness and ability of a party to prioritize the needs of the child(ren) by providing appropriate care, stability, and continuity for the child(ren), considering the parental duties performed by the party on behalf of the child(ren) in the past and whether the party is willing and able to perform the duties in the future, and attend to the daily physical, emotional, developmental, educational and special needs of the child(ren).

4. The need for stability and continuity in the child(ren)'s education, family life and community life, except if changes are necessary to protect the safety of the child(ren) or a party.

6. The child(ren)'s sibling and other family relationships.

7. The well-reasoned preference of the child(ren), based on the child(ren)'s developmental stage, maturity and judgment.

11. The proximity of the residences of the parties.

12. Your employment schedule and availability to care for the child(ren) or ability to make appropriate child-care arrangements.

14. The history of drug or alcohol abuse of a party or member of a party's household.

VERIFICATION

By signing this Pre-Trial Statement, I, _____, verify that the Pre-Trial Statement has been filed at the Prothonotary of Lawrence County, served upon the Court through the Court Administrator’s Office, and served upon the opposing parties in accordance with the Pennsylvania Rules of Civil Procedure (Pa.R.Civ.P. 1915.4-4).

Date

Signature of Party

Pursuant to Pa.R.Civ.P. 1915.4-4(c), you shall include any proposed exhibits to be introduced at trial, including the expert’s reports, as part of the Pre-Trial Statement served upon the other party or other party’s attorney. The proposed exhibits shall NOT be included with the Pre-Trial Statement filed with the Prothonotary of Lawrence County.