

Filing fee: Complaint \$90.75 Praecepto to Transmit the Record \$9.00

Cash or Money Order payable to Cameron County

Cameron County residents only can ask the Court to waive the filing fees through the Petition to Proceed in Forma Pauperis. You must fill out the forms and send them in with the divorce complaint. The Judge will decide if you can afford to pay based on your income. If the Judge denies your petition, you will have to pay the filing fees before the Prothonotary can file anymore divorce papers.

DIRECTIONS FOR 3301 C DIVORCE

MUTUAL CONSENT

READ THESE INSTRUCTIONS CAREFULLY AND LOOK OVER THE FORMS BEFORE YOU START FILLING OUT THE PAPERS. RECOMMEND THE USE OF BLUE INK FOR VERIFICATION OF ORIGINAL DOCUMENTS.

DO NOT SIGN AND SEND ALL THE PAPERWORK AT ONE TIME

THEY WILL BE RETURNED

COURTHOUSE EMPLOYEES CANNOT GIVE YOU LEGAL ADVICE

If you are not from Cameron County or wish to file by mail please do so at the address below, also remember to send one original document and two copies of everything you file. The copies will be returned to you for you and your spouse's records. You will need these copies to fill in the dates on the Praecepto to Transmit the Record. Send stamped addressed envelopes to return these documents.

Cameron County Courthouse

Attn: Prothonotary

20 East 5th Street

Emporium, PA 15834

If you have Child custody, property or money disagreements with your spouse, you should talk to a lawyer.

EFFECTIVE January 1, 2019 – claims for child support, spousal support and alimony pendente lite cannot be included in the filing of a divorce complaint. These claims must be raised by filing with your local Domestic Relations Office.

We cannot file Marriage Settlement Agreements or QDRO's with the enclosed divorce documents, they must be presented in the correct format for our Judge and we ask you seek legal advice for this procedure. These divorce documents are for a divorce only.

1. If you are the person starting the divorce and filing for the divorce, you are the Plaintiff and your spouse is the Defendant. You will be responsible for taking care of processing the paperwork and getting it to the Courthouse. You or your spouse must have lived in PA for the past 6 months. You must know the address of the Defendant so the Defendant can be mailed a copy of the divorce complaint and other papers. If you do not know the Defendant's address, you should speak with an attorney to learn your options.
2. Print clearly, make sure your names are spelled correctly, also use middle names or middle initials. Make sure you sign and date all forms on the lines for the Plaintiff.
3. Fill out the following documents:
 - Notice to Defend and Claim Rights (page -1-)
 - Complaint for Divorce 3301C (page -2-)
 - Affidavit of Non-Military Service (page -3-)

Fill in all the blanks of these documents as best you can, make 2 copies of these pages. Send all documents to the Courthouse with a stamped, address envelope; we must have the original you filled out and both copies. We will return the copies with a dated stamp on the side, this is your date of filing. There will also be a case number, please use this number on all divorce documents. Once you receive your stamped copies back from the Courthouse you must serve those on the defendant as soon as possible. Service can be done two ways, by certified mail or acceptance of service.

4. Certified mail: Go to the post office ask for certified mail, you will need the defendant's address and need to fill out the green card that the post office give you. The green card must be marked in #3 Service Type: Certified Mail Restricted Delivery and Signature Confirmation Restricted Delivery. Write in big letters beside the green card **RESTRICTED DELIVERY**. Only the defendant can sign for these papers and it **MUST** be dated. Put your address on this

card so it comes back to you. The Affidavit of Service (page -4-) must be filled out and the green card attached, all must be filed with our Courthouse within 10 days of the date signed by the defendant on the green card.

OR YOU CAN DO THIS

Acceptance of Service document (page -5-): This document can be mailed with the Complaint for Divorce. Have the defendant sign and date then return to you. You will also have to sign this document. You will need to send the original and any copies for your files to us with a return envelope. We will return the documents, these returned documents will help you fill out the final paperwork for the Judge (Praecipe to Transmit the Record (page 10a & 10b)).

NOW YOU ARE ON HOLD FOR 90 DAYS

5. Use the date that the defendant put on the certified green card from the post office or the acceptance of service, the date the defendant signed that document. Count 90 days (even weekends), this will be the date you both can sign the Affidavit of Consent (pages -6- & -7-) and Waiver of Notice of Intention to Request Entry of a Divorce Decree (pages -8-&-9-). **Affidavit of Consent by both parties must be filed in 30 days of the date signed.** Once all is signed you can fill out the Praecipe to Transmit the Record. This document is for two different kinds of divorces so only fill in the questions to the 3301C divorce. Some of the filing dates you will not know, write "here within". Sign and date
6. We also have an Affidavit of Intention to Retake Maiden Name Form. Please fill it out and send with an addition \$10.00 fee.

Send all the signed and dated documents in for finalization.

Both Plaintiff and Defendants Affidavit of Consent (pages 6 & 7)

Both Plaintiff and Defendants Waiver of Notice of Intention to Request a Divorce Decree (pages 8 & 9)

Praeceptum to Transmit the Record (pages 10a & 10b)

3- Divorce Decrees with just your names and case number on them.

\$9.00 money order if you did not pay that when you filed.

2-envelopes addressed to the Plaintiff and then one to the Defendant, 1 stamp on each.

Only the Plaintiff will receive a certified copy of the divorce decree, any additional copies are \$10.00 each.

Barring any issues your final Divorce Decree will be mailed to you in 2-4 weeks.

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

Plaintiff * County Branch - Cameron
*
*
vs. * Civil Action - Law
*
*
Defendant * No.

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 in 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 the 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 at the

Cameron County Courthouse
20 E. 5th Street, Emporium, PA 15834
(814) 486-3349

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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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 REDUCED FEE OR NO FEE.

Prothonotary's Office
Cameron County Courthouse
20 E. 5th Street, Emporium, PA 15834
(814) 486-3349

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

Plaintiff	*	COUNTY BRANCH ELK/CAMERON
	*	
vs.	*	CIVIL ACTION - LAW
	*	
Defendant	*	NO.

COMPLAINT FOR DIVORCE 3301(c)

1. Plaintiff is _____ who currently resides at _____ since _____.

First name	Middle Initial	Last Name	County
Street	Town	State	
Zip	Date		

2. Defendant is _____ who currently resides at _____ since _____.

First name	Middle Initial	Last Name	County
Street	Town	State	
Zip	Date		

3. _____ (Plaintiff and/or defendant) has/have been a bona fide resident(s) in the Commonwealth for at least six (6) months previous to the filing of this Complaint.
4. The plaintiff and defendant were married on _____ at _____.

Date	Town	County	State
------	------	--------	-------

5. There have been no prior actions of divorce or for annulment between the parties except _____.
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.A. 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff's signature

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH – ELK/CAMERON
Plaintiff	*	
	*	
vs.	*	CIVIL ACTION – LAW
	*	
_____	*	
Defendant	*	NO.

AFFIDAVIT OF NON-MILITARY SERVICE

I, _____, state that I know of my own
Plaintiff's name
knowledge that the Defendant, _____, is not in the
Defendant's name
military service as defined in the Soldiers' & Sailors' Relief Act of 1940 and its
amendments thereto, to the following reasons:

Plaintiff further says that the obligation sought to be enforced in this suit is not an obligation against a surety, guarantor, endorser, or other person liable, primarily or secondarily for a party in the military service.

Plaintiff's signature

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.A. 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff's Signature

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH – ELK/CAMERON
Plaintiff	*	
	*	
vs.	*	CIVIL ACTION – LAW
	*	
_____	*	
Defendant	*	NO.

AFFIDAVIT OF SERVICE

I, _____, served a true and correct copy of
(Plaintiff)
the Divorce Complaint filed in this matter by certified/registered mail, return
receipt requested, addressee only (restricted delivery) to the Defendant and by
regular mail at _____
(Defendant's address)
on _____). The return receipt signed by the
(date)
Defendant is evidence of delivery to him/her and is attached hereto OR the
regular mail has not been returned and more than 15 days have passed since
the mailing of the same and the certified/registered mail was refused.

Plaintiff's Signature

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.A. 4904 relating to unsworn falsification to authorities.

Date: _____

Plaintiff's Signature

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA – CAMERON COUNTY

Plaintiff : County of Cameron
: :
Vs. : Civil Action – Law
: :
Defendant : Case No.
: :
: :

ACCEPTANCE OF SERVICE – 3301(C)

TO THE PROTHONOTARY:

I, Defendant in this divorce action, hereby accept service of a true and correct Complaint in Divorce filed in the above captioned matter.

I further acknowledge that I have received a true and correct copy of the Notice to Defend and Claim Rights, and that I was advised of my right to obtain marriage counseling should I so desire.

Both Plaintiff and Defendant hereby waive the service requirement of the complaint and the filing of service requirement in accordance with P.R.C.P. 1003 and further agree to waive any venue requirements under P.R.C.P. 1920.2 and agree to the entry of a divorce decree by the Court of Common Pleas of the 59th Judicial District of Pennsylvania, County Branch of Cameron.

I verify that the statements made in this Acceptance of Service 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: _____

Defendant

Plaintiff

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH ELK/CAMERON
Plaintiff	*	
	*	
VS.	*	CIVIL ACTION - LAW
	*	
_____	*	
Defendant	*	NO.

PLAINTIFF'S AFFIDAVIT OF CONSENT

1. A complaint in divorce under §3301(c) of the Divorce Code was filed on _____
Date
2. The marriage of the plaintiff and defendant is irretrievably broken and ninety (90) days have elapsed from the date of _____ service 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 Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Date: _____
_____ Plaintiff's signature

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH ELK/CAMERON
Plaintiff	*	
vs.	*	CIVIL ACTION - LAW
_____	*	
Defendant	*	NO.

DEFENDANT'S AFFIDAVIT OF CONSENT

1. A complaint in divorce under §3301(c) of the Divorce Code was filed on _____
Date
2. The marriage of the plaintiff and defendant is irretrievably broken and ninety (90) days have elapsed from the date of _____ service 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 Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Date: _____
Defendant's signature _____

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH ELK/CAMERON
Plaintiff	*	
	*	
vs.	*	CIVIL ACTION - LAW
	*	
_____	*	
Defendant	*	NO.

PLAINTIFF'S WAIVER OF NOTICE OF INTENTION
TO REQUEST ENTRY OF A DIVORCE DECREE

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 Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Date: _____
_____ Plaintiff's signature

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

_____	*	COUNTY BRANCH ELK/CAMERON
Plaintiff	*	
	*	
vs.	*	CIVIL ACTION - LAW
	*	
_____	*	
Defendant	*	NO.

DEFENDANT'S WAIVER OF NOTICE OF INTENTION
TO REQUEST ENTRY OF A DIVORCE DECREE

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 Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Date: _____
Defendant's signature _____

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

PLAINTIFF

COUNTY BRANCH – CAMERON

CIVIL ACTION – LAW

VS.

DEFENDANT

CASE NO.

PRAECIPE TO TRANSMIT THE RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of a divorce decree:

1. ____ Section 3301(C) of the Divorce Code (mutual consent)
____ Section 3301(D) of the Divorce Code (one-year separation)

2. (a) Date complaint filed: _____

(b) Date of service of the Complaint for Divorce: _____

(c) If service is over 30 days,

date Complaint was reinstated: _____

date Complaint was Amended: _____

(d) Manner of service of the Complaint in Divorce: (check one)

____ Acceptance of Service

____ Certified mail, restricted delivery to and return receipt signed by defendant and hereto attached.

____ First-class mail-not returned, certified mail refused, 15 days have elapsed

____ Affidavit of Service by Sheriff or Personal service.

Complete Section 3(a) if you filed a 3301(c) divorce (mutual consent):

3. (a) Affidavit of Consent required by Section 3301(c) of the Divorce Code:
Date consent signed by plaintiff _____
Date consent signed by defendant _____
Date plaintiff's consent was filed _____
Date defendant's consent was filed _____

Complete Section 3(b) if you filed a one-year separation divorce 3301(d):

- (b) Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code:
Date of signature _____
Date of filing _____
Date of service upon the defendant _____
Manner of service _____

4. Related claims pending _____

5. (a) Date of service of the Notice of Intention to Request Entry of 3301(d) Divorce Decree, with copy attached: _____
Manner of Service _____

OR Date of filing the Waiver of Notice of Intention to Request Entry of a Divorce Decree **3301(d)**
Plaintiff _____
Defendant _____

- (b) Date of filing the Waiver of Notice of Intention to Request Entry of a Divorce Decree **3301(c)**
Plaintiff _____
Defendant _____

Plaintiff's signature

**IN THE COURT OF COMMON PLEAS OF THE
FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA**

PLAINTIFF

VS.

DEFENDANT

COUNTY BRANCH-CAMERON

CIVIL ACTION – LAW

CASE NO. _____

DECREE IN DIVORCE

AND NOW, _____, IT IS ORDERED AND
DECREED that plaintiff and defendant are divorced from the bonds of
matrimony.

BY THE COURT:

SHAWN T. MCMAHON
PRESIDENT JUDGE

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT OF PENNSYLVANIA

Plaintiff * COUNTY BRANCH -
*
*
v. * CIVIL ACTION - LAW
*
*
Defendant * NO.

AFFIDAVIT OF INTENTION TO RETAKE MAIDEN (OR PRIOR) NAME

_____ (name), being duly sworn according to
law, deposes and says that a divorce action was filed on _____ (date)
in Elk/Cameron County in which she is the _____ (plaintiff or
defendant) in the above suit; that _____ (name) elects to retake
and hereafter use her maiden name (or prior name) _____
(name to be used) and therefore gives this written notice avowing said intention in
accordance with the provisions of 54 Pa.C.S.A. § 704(a).

Signature

To be known as: _____
(Print name to be known as)

(Sign name to be known as)