

PETITION FOR CONTEMPT

INSTRUCTION SHEET

USE THIS FORM IF THE OPPOSING PARTY IN THE CIVIL ACTION HAS WILLFULLY DISOBEYED OR FAILED TO COMPLY WITH AN EXISTING ORDER.

1. Complete, date and sign the Petition for Contempt. (See the detailed instructions in the pages to follow)
2. At the same time the Petition for Contempt is filed, you **MUST** serve a time-stamped copy of the Petition to the Plaintiff(s) or Defendant(s). You must either serve the Plaintiff(s) or Defendant(s) in person, or you may mail a copy via first class Certified mail with Return Receipt Requested. You need to complete a **CERTIFICATE OF SERVICE** indicating the manner in which you served/will serve the Petition. The Certificate of Service **must be** attached to the Petition.
3. Your action will be deemed defective if you fail to serve the named Plaintiff(s) or Defendant(s) and fail to attach the Certificate of Service.
4. File the completed Petition for Contempt, Proposed Orders, and Certificate of Service with a copy of the existing Order attached by mailing or hand-delivering them in person to:
Pike County Prothonotary
Pike County Courthouse
412 Broad Street
Milford, PA 18337-1522
(570) 296-7231
5. A stamped, self-addressed envelope large enough to accommodate the pleading **MUST** accompany any request for service such as copies, docket entries, or the return of any certified or time-stamped copies of any document.
6. Once the Petition is filed, the Court will mail you a “Rule to Show Cause.” Please read the Rule carefully as it will give you instructions on what to do next. You **MUST** send this “Rule to Show Cause” and a copy of the other papers that you filed, to the other party in the case, or to their attorney, if they are represented. You will need to file another Certificate of Service with you to show the Judge that you provided notice of the Rule to Show Cause to the other party.

HOW TO FILL IN THE RULE TO SHOW CAUSE

1. Complete the Caption with the names of the Plaintiff, Defendant and the Docket number. Each should appear exactly as they do on the Complaint or prior Court Order.
2. Insert the Petitioner's name in the blank provided. If you are filing the Petition, you are the Petitioner.
3. Insert the Respondent's name in the blank provided.

Leave the rest of the Rule to Show Cause blank for the Court to complete.

HOW TO FILL IN THE PROPOSED ORDER

1. Complete only the Caption with the names of the Plaintiff, Defendant and the Docket number. Each should appear exactly as they do on the other documents filed.

Leave the rest of the Proposed Order blank for the Court to complete.

HOW TO FILL IN THE PETITION

Notice Page:

HEADING (CAPTION):

1. Complete only the Caption with the names of the Plaintiff, Defendant and the Docket number. Each should appear exactly as they do on the other documents filed.

Petition:

HEADING (CAPTION):

Fill in the names of the plaintiff and defendant in the heading of the Petition exactly as they appear on the Complaint.

Plaintiff- the person who has filed the Complaint

Defendant- the person against whom the Complaint was filed

The docket number can be found in the caption of your Complaint for or your Order. Place this number exactly as it appears in the Complaint or Order.

LINE 1:

If you are filing this Petition, you are the Petitioner. Fill in your name and address of the Petitioner. Indicate whether you are the Plaintiff or the Defendant in the Complaint by circling the appropriate term.

LINE 2:

The person against whom the Petition is filed is the Respondent. Fill in the name and address of the Respondent. Indicate whether the Respondent is the Plaintiff or Defendant in the Complaint by circling the appropriate term.

LINE 3:

Indicate the date the last Order was issued and then describe the order. **Be sure to attach a time stamped copy of the last order to the petition.**

LINE 4:

Indicate how the other party has willfully disobeyed or failed to comply with the order.

SIGN AND DATE THE PETITION

VERIFICATION:

Sign and date the Verification indicating that statements made with the Complaint are true.

DO NOT FORGET TO COMPLETE A CERTIFICATE OF SERVICE AND ATTACH IT TO THE PETITION

**IN THE COURT OF COMMON PLEAS
OF PIKE COUNTY, PENNSYLVANIA
CIVIL**

| | | |
|-----------|---|-------------------------|
| Plaintiff | : | |
| | : | |
| | : | No. _____ - _____ Civil |
| Defendant | : | |
| | : | |
| | : | |

RULE TO SHOW CAUSE

AND NOW, upon consideration of the _____'s
(Insert Petitioner's Name)
Petition for Contempt, it is hereby OREDERED that:

- 1) A rule is issued upon the Respondent to show cause why the Petitioner is not entitled to the relief requested.
- 2) Rule Returnable for Answer only in twenty (20) days from the date that this Rule is served upon Respondent.
- 3) If no answer is filed by the specified date, the Rule may be made absolute upon motion of counsel.
- 4) If an answer is filed, either party may petition for a Hearing or Argument to be held at the Pike County Courthouse, Milford, Pennsylvania.
- 5) Petitioner is hereby ORDERED to serve a copy of this Rule upon the Respondent and file proof of service thereafter.

BY THE COURT,

Hon. J.

**IN THE COURT OF COMMON PLEAS
OF PIKE COUNTY, PENNSYLVANIA
CIVIL**

| | | |
|-----------|---|-------------------------|
| Plaintiff | : | |
| | : | |
| | : | No. _____ - _____ Civil |
| Defendant | : | |
| | : | |
| | : | |

ORDER

AND NOW , this _____ day of _____, 20____,
upon consideration of the Petitioner’s Petition for Contempt, the request is
hereby GRANTED.

BY THE COURT,

Hon. _____ J.

**IN THE COURT OF COMMON PLEAS
OF PIKE COUNTY, PENNSYLVANIA
CIVIL**

| | | |
|-----------|---|-------------------------|
| Plaintiff | : | |
| | : | |
| | : | No. _____ - _____ Civil |
| Defendant | : | |
| | : | |
| | : | |

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action prior to the hearing scheduled herein, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and an Order may be entered against you by the Court without further notice for any claim or relief requested in the Complaint. You may lose money or property or other rights important to you.

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.

North Penn Legal Services
10 North Tenth Street
Stroudsburg, PA 18360
Phone: (570) 424-5338

WHEREFORE, Petitioner requests that the Respondent be held in contempt of court.

Date: _____
_____ Petitioner

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: _____
_____ Petitioner