

Pennsylvania Family Law – Jurisdiction and Service of Process

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Custody Determination – Jurisdiction

Initial child custody jurisdiction **23 Pa. C.S.A. § 5421**

(a) General rule.—Except as otherwise provided in section 5424 (relating to temporary emergency jurisdiction), a court of this Commonwealth has jurisdiction to make an initial child custody determination only if:

(1) this Commonwealth is the home state of the child on the date of the commencement of the proceeding or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this Commonwealth but a parent or person acting as a parent continues to live in this Commonwealth;

(2) a court of another state does not have jurisdiction under paragraph (1) or a court of the home state of the child has declined to exercise jurisdiction on the ground that this Commonwealth is the more appropriate forum under section 5427 (relating to inconvenient forum) or 5428 (relating to jurisdiction declined by reason of conduct) and:

(i) the child and the child’s parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this Commonwealth other than mere physical presence; and

(ii) substantial evidence is available in this Commonwealth concerning the child’s care, protection, training and personal relationships;

(3) all courts having jurisdiction under paragraph (1) or (2) have declined to exercise jurisdiction on the ground that a court of this Commonwealth is the more appropriate forum to determine the custody of the child under section 5427 or 5428; or

(4) no court of any other state would have jurisdiction under the criteria specified in paragraph (1), (2) or (3).

(b) Exclusive jurisdictional basis.—Subsection (a) is the exclusive jurisdictional basis for making a child custody determination by a court of this Commonwealth.

(c) Physical presence and personal jurisdiction unnecessary.—Physical presence of or personal jurisdiction over a party or a child is not necessary or sufficient to make a child custody determination

Temporary Emergency Jurisdiction **23 Pa. C.S.A. § 5424**

(a) General rule.—A court of this Commonwealth has temporary emergency jurisdiction if the child is present in this Commonwealth and the child has been abandoned or it is necessary in an emergency to protect the child because the child or a sibling or parent of the child is subjected to or threatened with mistreatment or abuse.

(b) No previous custody determination or proceeding.—If there is no previous child custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under sections 5421 (relating to initial child custody jurisdiction) through 5423 (relating to jurisdiction to modify determination), a child custody determination made under this section remains in effect until an order is obtained from a court of a state having jurisdiction under sections 5421 through 5423. If a child custody proceeding has not been or is not commenced in a court of a state having jurisdiction under sections 5421 through 5423, a child custody determination made under this section becomes a final determination if it so provides and this Commonwealth becomes the home state of the child.

(c) Previous custody determination or proceeding.—If there is a previous child custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under sections 5421 through 5423, any order issued by a court of this Commonwealth under this section must specify in the order a period that the court considers adequate to allow the person seeking an order to obtain an order from the state having jurisdiction under sections 5421 through 5423. The order issued in this Commonwealth remains in effect until an order is obtained from the other state within the period specified or the period expires.

(d) Mandatory communication between courts.—A court of this Commonwealth which has been asked to make a child custody determination under this section, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of a state having jurisdiction under sections 5421 through 5423, shall immediately communicate with the other court. A court of this Commonwealth which is exercising jurisdiction pursuant to sections 5421 through 5423, upon being informed that a child custody proceeding has been commenced in or a child custody determination has been made by a court of another state under a statute similar to this section, shall immediately communicate with the court of that state to resolve the emergency, protect the safety of the parties and the child and determine a period for the duration of the temporary order.

A mother’s claim that the father, who was in Louisiana, sexually and physically abused the mother and the child against the father’s claim that the marriage was a happy one did qualify the court for emergency jurisdiction. See *O’Gwynn v. Herbert*, 878 A.2d 119, 126 (Pa. Super. Ct. 2005) (decided under predecessor statute). The court held that “emergency jurisdiction under the [Uniform Child Custody Jurisdiction Act] UCCJA must be reserved for situations in which the child is in immediate danger of suffering harm.” *Id.*; see also *Lucas v. Lucas*, 882 A.2d 523, 531 (Pa. Super. Ct. 2005)(decided under previous statute) (holding that a father’s failure to pay financial support who had also moved away do not amount to abandonment to rise to the level of emergency jurisdiction).

At times when the situation poses an immediate threat to the safety of the child, officials may temporarily deprive a parent of custody without parental consent or court order. See *Egervary v. Rooney*, 80 F. Supp. 2d 491, 509 (E.D. Pa. 2000), *rev’d on other grounds*, 366 F.3d 238 (3d Cir. 2004) (applying Pennsylvania law; decided under predecessor statute). Even when the threat justifies the removal of the child, the state must quickly initiate a post-deprivation hearing. *Id.*

Custody Determination – Service/Notification Requirements

Registration of child custody determination 23 Pa. C.S.A. § 5445

(a) General rule.—A child custody determination issued by a court of another state may be registered in this Commonwealth, with or without a simultaneous request for enforcement, by sending to the appropriate court in this Commonwealth:

- (1) a letter or other document requesting registration;
- (2) two copies, including one certified copy, of the determination sought to be registered and a statement under penalty of perjury that to the best of the knowledge and belief of the person seeking registration the order has not been modified; and
- (3) except as otherwise provided in section 5429 (relating to information to be submitted to court), the name and address of the person seeking registration and any parent or person acting as a parent who has been awarded custody or visitation in the child custody determination sought to be registered.

(b) Duties of registering court.—On receipt of the documents required by subsection (a), the registering court shall:

- (1) cause the determination to be filed as a foreign judgment, together with one copy of any accompanying documents and information, regardless of their form; and
- (2) serve notice upon the persons named pursuant to subsection (a)(3) and provide them with an opportunity to contest the registration in accordance with this section.

(c) Notice.—The notice required by subsection (b)(2) must state that:

- (1) a registered determination is enforceable as of the date of the registration in the same manner as a determination issued by a court of this Commonwealth;
- (2) a hearing to contest the validity of the registered determination must be requested within 20 days after service of notice; and
- (3) failure to contest the registration will result in confirmation of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted.

(d) Contest over validity of registered order.—A person seeking to contest the validity of a registered order must request a hearing within 20 days after service of the notice. At that hearing, the court shall confirm the registered order unless the person contesting registration establishes that:

- (1) the issuing court did not have jurisdiction under Subchapter B (relating to jurisdiction);
- (2) the child custody determination sought to be registered has been vacated, stayed or modified by a court having jurisdiction to do so under Subchapter B; or
- (3) the person contesting registration was entitled to notice, but notice was not given in accordance with the standards of section 5408 (relating to notice to persons outside Commonwealth), in the proceedings before the court that issued the order for which registration is sought.

(e) Failure to contest.—If a timely request for a hearing to contest the validity of the registration is not made, the registration is confirmed as a matter of law and the person requesting registration and all persons served must be notified of the confirmation.

(f) *Res judicata*.—Confirmation of a registered order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

Service of petition and order **23 Pa. C.S.A. § 5449**

Except as otherwise provided in section 5451 (relating to warrant to take physical custody of child), the petition and order must be served by any method authorized by the laws of this Commonwealth upon respondent and any person who has physical custody of the child.

Service on Minors or Incapacitated Persons Pa. R.C.P. No. 441

(a) Service of legal papers other than original process upon a party who is a minor shall be made in the manner prescribed by Rule 440 upon the party's attorney of record or, if none, the party's guardian. If the party has no attorney of record or guardian, service may be made upon the minor.

(b) Service of legal papers other than original process upon a party who is an incapacitated person shall be made in the manner prescribed by Rule 440 upon the party's guardian, guardian ad litem or attorney of record.

Paternity and Child Support Proceeding – Jurisdiction

Bases for Jurisdiction over Nonresident **23 Pa. C.S.A. § 7201**

(a) *Jurisdiction*.—In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this State may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if any of the following apply:

(1) The individual is personally served with a writ of summons, complaint or other appropriate pleading within this State.

(2) The individual submits to the jurisdiction of this State by consent in a record, by entering a general appearance or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.

(3) The individual resided with the child in this State.

(4) The individual resided in this State and provided prenatal expenses or support for the child.

(5) The child resides in this State as a result of the acts or directives of the individual.

(6) The individual engaged in sexual intercourse in this State and the child may have been conceived by that act of intercourse.

(7) The individual acknowledged parentage of the child on a form filed with the department under section 5103 (relating to acknowledgment and claim of paternity).

(8) There is any other basis consistent with the constitutions of this State and the United States for the exercise of personal jurisdiction.

(b) *Modification*.—The bases of personal jurisdiction set forth in subsection (a) or in any other law of this State may not be used to acquire personal jurisdiction for a tribunal of this State to modify a child support order of another state unless the requirements of section 7611 (relating to modification of child support order of another state) are met or, in the case of a foreign support order, unless the requirements of section 7615 (relating to jurisdiction to modify child support order of a foreign country) are met.

Continuing, exclusive jurisdiction to modify child support orders **23 Pa. C.S.A. § 7205**

(a) Extent.—A tribunal of this State that has issued a child support order consistent with the law of this State has and shall exercise continuing, exclusive jurisdiction to modify the child support order if the order is the controlling order and:

- (1) at the time of the filing of a request for modification this State is the residence of the obligor, the individual obligee or the child for whose benefit the support order is issued; or
- (2) even if this State is not the residence of the obligor, the individual obligee or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of this State may continue to exercise jurisdiction to modify the order.

(b) Restriction.—A tribunal of this State that has issued a child support order consistent with the law of this State may not exercise its continuing, exclusive jurisdiction to modify the order if:

- (1) all of the parties who are individuals file consent in a record with the tribunal of this State that a tribunal of another state, that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child, may modify the order and assume continuing, exclusive jurisdiction; or
- (2) the order is not the controlling order.

(c) Deleted by 2015, Dec. 28, P.L. 559, No. 94, § 10, imd. effective.

(d) Faith and credit.—If a tribunal of another state has issued a child support order under a law substantially similar to this part which modifies a child support order of a tribunal of this State, tribunals of this State shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(d.1) Modification.—A tribunal of this State that lacks continuing, exclusive jurisdiction to modify a child support order may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) Interim orders.—A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal. Continuing jurisdiction to enforce child support orders 23 Pa. C.S.A. § 7206

(a) Initiating tribunal.—A tribunal of this State that has issued a child support order consistent with the law of this State may serve as an initiating tribunal to request a tribunal of another state to enforce:

- (1) the order, if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction under a law substantially similar to this part; or
- (2) a money judgment for arrears of support and interest on the order that accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) Responding tribunal.—A tribunal of this State having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

Determination of controlling child support order **23 Pa. C.S.A. § 7207**

(a) Single child support order.—If a proceeding is brought under this part and only one tribunal has issued a child support order, the order of that tribunal controls and must be so recognized.

(a.1) Multiple orders.—If a proceeding is brought under this part and two or more child support orders have been issued by tribunals of this State, another state or a foreign country with regard to the same obligor and same child, a tribunal of this State having personal jurisdiction over both

the obligor and the individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this part, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this part, an order issued by a tribunal in the current home state of the child controls and must be so recognized, but, if an order has not been issued in the current home state of the child, the order most recently issued controls and must be so recognized.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this part, the tribunal of this State shall issue a child support order, which controls.

(a.2) Request to determine controlling order.—If two or more child support orders have been issued for the same obligor and the same child, upon request of a party who is an individual or which is a support enforcement agency, a tribunal of this State having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (a.1). The request may be filed with a registration for enforcement or registration for modification under Chapter 76 (relating to registration, enforcement and modification of support order) or may be filed as a separate proceeding. The request to determine which is the controlling order must be accompanied by a copy of every child support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(b) Exclusive jurisdiction.—The tribunal that issued the controlling order under subsection (a), (a.1) or (a.2) is the tribunal that has continuing jurisdiction under section 7205 (relating to continuing, exclusive jurisdiction to modify child support orders) or 7206 (relating to continuing jurisdiction to enforce child support orders).

(c) Basis of order.—A tribunal of this State which determines by order the identity of the controlling order under subsection (a.1)(1) or (2) or (a.2) or which issues a new controlling order under subsection (a.1)(3) shall state all of the following in that order:

(1) The basis upon which the tribunal made its determination.

(2) The amount of prospective support, if any.

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited under section 7209 (relating to credit for payments).

(d) Filing of copy of order.—Within 30 days after issuance of an order determining the identity of the controlling order, the party obtaining the determining order shall file a certified copy of it with each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency that obtains a determining order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. Failure to file a copy of the determining order does not affect the validity or enforceability of the controlling order.

(e) Recognition.—An order which has been determined to be the controlling order or a judgment for consolidated arrears of support and interest, if any, made under this section must be recognized in proceedings under this part.

Application of part to nonresident subject to personal jurisdiction **23 Pa. C.S.A. § 7202**

A tribunal of this State exercising personal jurisdiction over a nonresident in a proceeding under this part, under other law of this State relating to a support order or recognizing a foreign support order, may receive evidence from outside this State under section 7316 (relating to special rules of evidence and procedure), communicate with a tribunal outside this State pursuant to section 7317 (relating to communications between tribunals) and obtain discovery through a tribunal outside this State under section 7318 (relating to assistance with discovery). In all other respects, Chapter 71 (relating to general provisions), 72 (relating to jurisdiction), 73 (relating to civil provisions of general application), 74 (relating to establishment of support order or determination of parentage), 75 (relating to enforcement of support order without registration) or 76 (relating to registration, enforcement and modification of support order) do not apply, and the tribunal shall apply the procedural and substantive law of this State.

Continuing exclusive jurisdiction to modify spousal support order **23 Pa. C.S.A. § 7211**

- (a) Modification.—A tribunal of this State issuing a spousal support order consistent with the law of this State has continuing, exclusive jurisdiction to modify the spousal support order throughout the existence of the support obligation.
- (b) Prohibition.—A tribunal of this State may not modify a spousal support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.
- (c) Tribunal.—A tribunal of this State that has continuing, exclusive jurisdiction over a spousal support order may serve as:
 - (1) an initiating tribunal to request a tribunal of another state to enforce the spousal support order issued in this State; or
 - (2) a responding tribunal to enforce or modify the spousal support order issued by the tribunal.

Paternity and Child Support Proceeding – Service/Notification Requirements

Procedure to register for enforcement **23 Pa. C.S.A. § 7602**

- (a) General rule.—Except as otherwise provided in section 77A06 (relating to registration of convention support order), a support order or income-withholding order of another state or a foreign support order may be registered in this State by sending all of the following records to the appropriate tribunal in this State:
 - (1) A letter of transmittal to the tribunal requesting registration and enforcement.
 - (2) Two copies, including one certified copy, of the order to be registered, including any modification of the order.
 - (3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage.
 - (4) The name of the obligor and, if known:
 - (i) the obligor’s address and Social Security number;
 - (ii) the name and address of the obligor’s employer and any other source of income of the obligor; and
 - (iii) a description and the location of property of the obligor in this State not exempt from execution.

- (5) Except as set forth in section 7312 (relating to nondisclosure of information in exceptional circumstances), the name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted.
- (b) Docketing.—On receipt of a request for registration, the registering tribunal shall file the order as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.
- (c) Simultaneous relief.—A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this State may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.
- (d) Multiple orders.—If two or more orders are in effect, the person requesting registration shall do all of the following:
- (1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section.
 - (2) Specify the order alleged to be the controlling order, if any.
 - (3) Specify the amount of consolidated arrears, if any.
- (e) Request for determination.—A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Child Abuse/Neglect Proceeding – Jurisdiction

23 Pa. C.S.A. § 6103

- (a) General rule.—The court shall have jurisdiction over all proceedings under this chapter.
- (b) Effect of departure and nonresidence.—The right of the plaintiff to relief under this chapter shall not be affected by either of the following:
- (1) The plaintiff's leaving the residence or household to avoid further abuse.
 - (2) The defendant's absence from this Commonwealth or the defendant's nonresidence in this Commonwealth, provided that the court has personal jurisdiction over the defendant in accordance with 42 Pa. C.S. § 5322 (relating to bases of personal jurisdiction over persons outside this Commonwealth).

Child Abuse/Neglect Proceeding – Service/Notification Requirements

23 Pa. C.S.A. § 6109

- (a) Issuance.—A copy of an order under this chapter shall be issued to the plaintiff, the defendant and the police department with appropriate jurisdiction to enforce the order or agreement in accordance with the provisions of this chapter or as ordered by the court or hearing officer.
- (b) Placement in registry.—Upon receipt of an order, the police department shall immediately place the order in a county registry of protection orders. The police department shall assure that the registry is current at all times and that orders are removed upon expiration thereof. County registries shall not be required when the Pennsylvania State Police registry provided for in section 6105(e) (relating to responsibilities of law enforcement agencies) is established and is fully operational.

Divorce and Legal Separation – Jurisdiction

Bases of Jurisdiction 23 Pa. C.S.A. § 3104

(a) Jurisdiction.—The courts shall have original jurisdiction in cases of divorce and for the annulment of void or voidable marriages and shall determine, in conjunction with any decree granting a divorce or annulment, the following matters, if raised in the pleadings, and issue appropriate decrees or orders with reference thereto, and may retain continuing jurisdiction thereof:

(1) The determination and disposition of property rights and interests between spouses, including any rights created by any antenuptial, postnuptial or separation agreement and including the partition of property held as tenants by the entirety or otherwise and any accounting between them, and the order of any spousal support, alimony, alimony pendente lite, counsel fees or costs authorized by law.

(2) The future care, custody and visitation rights as to children of the marriage or purported marriage.

(3) Any support or assistance which shall be paid for the benefit of any children of the marriage or purported marriage.

(4) Any property settlement involving any of the matters set forth in paragraphs (1), (2) and (3) as submitted by the parties.

(5) Any other matters pertaining to the marriage and divorce or annulment authorized by law and which fairly and expeditiously may be determined and disposed of in such action.

(b) Residence and domicile of parties.—No spouse is entitled to commence an action for divorce or annulment under this part unless at least one of the parties has been a bona fide resident in this Commonwealth for at least six months immediately previous to the commencement of the action. Both parties shall be competent witnesses to prove their respective residence, and proof of actual residence within this Commonwealth for six months shall create a presumption of domicile within this Commonwealth.

(c) Powers of court.—The court has authority to entertain an action under this part notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth and that both parties were at the time of the occurrence domiciled outside this Commonwealth. The court also has the power to annul void or voidable marriages celebrated outside this Commonwealth at a time when neither party was domiciled within this Commonwealth.

(d) Foreign forum.—After the dissolution or annulment of a marriage in a foreign forum where a matter under subsection (a) has not been decided, a court of this Commonwealth shall have jurisdiction to determine a matter under subsection (a) to the fullest extent allowed under the Constitution of the United States.

Divorce and Legal Separation – Service/Notification Requirements

Pa. R.C.P. No. 1920.4

(a) Service of original process and proof of service in an action pursuant to this chapter shall be in accordance with Rule 1930.4.

(b) Service of the complaint in the manner provided by Rule 1930.4 shall constitute service of process with respect to any claim which may under the Divorce Code be joined with an action of divorce or for annulment.

(c) In an action under Section 3301(d)1 of the Divorce Code, if no appearance has been entered and plaintiff avers that defendant cannot be located after diligent search, the court may waive service of the affidavit.

(d) The defendant may accept service of the complaint as provided by Rule 1930.4. Acceptance of service shall not be deemed collusive.

Adoption Proceeding – Jurisdiction

***Requirements* 23 Pa. C.S.A. § 2301**

The court of common pleas of each county shall exercise through the appropriate division original jurisdiction over voluntary relinquishment, involuntary termination and adoption proceedings.

23 Pa.C.S.A. § 2302

Proceedings for voluntary relinquishment, involuntary termination and adoption may be brought in the court of the county:

- (1) Where the parent or parents or the adoptee or the person or persons who have filed a report of intention to adopt required by section 2531 (relating to report of intention to adopt) reside.
- (2) In which is located an office of an agency having custody of the adoptee or in the county where the agency having placed the adoptee is located.
- (3) With leave of court, in which the adoptee formerly resided.

***Simultaneous proceedings* 23 Pa. C.S.A. § 7204**

(a) Permissible.—A tribunal of this State may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a petition or comparable pleading is filed in another state or a foreign country only if all of the following apply:

(1) The petition or comparable pleading in this State is filed before the expiration of the time allowed in the other state or a foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or a foreign country.

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or a foreign country.

(3) If relevant, this State is the home state of the child.

(b) Impermissible.—A tribunal of this State may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if all of the following apply:

(1) The petition or comparable pleading in the other state or a foreign country is filed before the expiration of the time allowed in this State for filing a responsive pleading challenging the exercise of jurisdiction by this State.

(2) The contesting party timely challenges the exercise of jurisdiction in this State.

(3) If relevant, the other state or a foreign country is the home state of the child.

Adoption Proceeding – Service/Notification Requirements

Notice of hearing **23 Pa. C.S.A. § 2721**

The court shall fix a time and place for hearing. Notice of the hearing shall be given to all persons whose consents are required and to such other persons as the court shall direct. Notice to the parent or parents of the adoptee, if required, may be given by the intermediary or someone acting on his behalf. Notice shall be by personal service or by registered mail to the last known address of the person to be notified or in such other manner as the court shall direct.

Domestic Violence – Jurisdiction

23 Pa. C.S.A. § 6103

- (a) General rule.—The court shall have jurisdiction over all proceedings under this chapter.
- (b) Effect of departure and nonresidence.—The right of the plaintiff to relief under this chapter shall not be affected by either of the following:
 - (1) The plaintiff’s leaving the residence or household to avoid further abuse.
 - (2) The defendant’s absence from this Commonwealth or the defendant’s nonresidence in this Commonwealth, provided that the court has personal jurisdiction over the defendant in accordance with 42 Pa. C.S. § 5322 (relating to bases of personal jurisdiction over persons outside this Commonwealth).

Domestic Violence– Service/Notification Requirements

Commencement of proceedings **23 Pa. C.S.A. § 6106**

- (f) Service by sheriff.—If the court so orders, the sheriff or other designated agency or individual shall serve the petition and order.
- (g) Service of petition and orders.—The petition and orders shall be served upon the defendant, and orders shall be served upon the police departments and sheriff with appropriate jurisdiction to enforce the orders. Orders shall be promptly served on the police and sheriff. Failure to serve shall not stay the effect of a valid order.
 - (g.1) Service of original process of a foreign protection order.—No plaintiff or petitioner shall be charged any costs or fees associated with the service of original process of a foreign protection order. Costs or fees associated with the service of original process of a foreign protection order may be assessed against the defendant