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**WYOMISSING-READING-BERKS COUNTY ATTORNEY JANA R. BARNETT HELPS
GRANDPARENTS AND OTHER THIRD PARTIES IN CHILD CUSTODY MATTERS**

Attorney Jana R. Barnett regularly represents grandparents and other third parties seeking custody of their children and grandchildren. Although custody disputes are generally between biological parents, other people may seek and get custody or visitation of a child, including grandparents and third parties who have served instead of or in place of a parent (sometimes called “*in loco parentis*”).

There are two types of custody: **Legal Custody** and **Physical Custody**.

- **Legal custody** is the right to make major decisions affecting the best interests of a minor child. Examples of the types of decisions that are “legal” are medical, religious and educational. It is common for parents to have joint legal custody.
- **Physical custody** is the right to have the child for a period of time. A person may have sole physical custody. A person with “primary” physical custody has the child a majority of the time; the other parent has “partial” physical custody. The term “shared physical custody” is often used interchangeably with “50-50” custody. “Visitation” is the right to visit a child.

In Berks County, when a custody action is filed, Family Court Administration generally notifies the parties that they are expected to attend parenting classes called “Children in the Middle,” and that they have been scheduled to attend both mediation and custody conciliation.

“Children in the Middle” classes are held at The Family Guidance Center, 1235 Penn Avenue, Suites 205-206, Wyomissing, PA 19610. The cost of the parenting classes is \$40 per person.

Mediation is held at the Berks County Courthouse in Reading, Pennsylvania. The cost of mediation is \$75 per person. The parties have an opportunity to speak with the mediator privately, as well as together. The mediator will notify the Court and the parties’ attorneys of the outcome of the mediation.

If the parties do not reach an agreement during mediation, they will attend Custody Conciliation at the 7th floor of the County Services Center, 633 Court Street, Reading, Pa. 19601. Unless the parties are living in the same house, the Custody Masters will listen to the parties, then recommend that the

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Court enter a specific Order. If neither party files exceptions to the recommendation within twenty (20) days of the mailing, the recommended Order will become an Order of Court.

Child custody Orders may be modified where it is in the best interest of the child to do so.

Parties can reach agreements at any point in the process. Although many people benefit from “Children in the Middle,” mediation, and the masters’ recommended Orders, parties can enter into Stipulations (agreements) at any time, and ask the Court to make their agreement a Court Order.

The Berks County Court of Common Pleas utilizes a standard Appendix for most custody orders. When followed, the best interests of the children are put first.

To read statutes and related materials, please visit www.janarbarnettesq.com

If you would like to speak with Attorney Jana R. Barnett about how grandparents and other third parties can obtain child custody, and learn how she can assist you, call her at 610-478-1860, or [click here](#) to send her an e-mail, and she will reply as quickly as possible.

Attorney Jana R. Barnett’s offices are located at 525 Kenhorst Boulevard, Reading, PA 19611 and 1238 Cleveland Avenue, Wyomissing, PA 19610-2102. Attorney Jana R. Barnett practices family law, employment law, and employment discrimination law in Reading, Wyomissing and the surrounding cities and towns, as well as in Berks County, Bucks County, Chester County, Delaware County, Lancaster County, Lehigh County, Montgomery County, Northampton County, Philadelphia County and in the United States District Court for the Eastern District of Pennsylvania and the United States District Court for the Middle District of Pennsylvania.