



COURT OF COMMON PLEAS PROBATE / JUVENILE DIVISION
GEAUGA COUNTY, OHIO - JUDGE TIMOTHY J. GRENDALL
Courthouse Annex, 2nd Floor 231 Main Street, Suite 200
Chardon, Ohio 44024
Telephone No. 440-279-1830
Fax Probation: 440-285-5025 Fax Court: 440-285-8751

COURT POLICY REGARDING COURT EMPLOYEES PROVIDING LEGAL ADVICE

Ohio law and Codes of Conduct prohibit court employees, including deputy clerks and Resource Center staff, from providing legal advice.

Deputy clerks may review paperwork that you present for filing to determine whether you have: (i) provided all required information, including required names, initials, and addresses, (ii) signed where required, and (iii) filed all paperwork, required by law, including the local court rules, such as required affidavits or instructions for service.

However, Deputy Clerks cannot tell you whether the paperwork that you present to the Clerk's Office, or the content of that paperwork, is adequate to satisfy your needs or intentions or satisfies all legal requirements, including the local court rules.

If you need legal advice, you should contact your attorney, otherwise call the Geauga County Bar Association at 440-286-7160 or the Legal Aid Society of Cleveland at 888-817-3777.

Help Center - The Court has established a Help Center. While the Help Center staff cannot provide you with legal advice, if you are not represented by an attorney, then the Help Center can assist you by providing general legal information and providing access to legal forms. A deputy clerk or Resource Center staff can give you additional information concerning the Help Center.



**RESOURCE CENTER
INSTRUCTION SHEET FOR PRO SE FILINGS
[Custody and Parenting Time]
[For Parental Use – Complaint (Abuse, Neglect, Dependency)]**

WARNING

This Instruction Sheet provides you with a brief overview of the subject matter. It may not provide you with all the information that you require to be fully informed of the law that is applicable to your case. While the Resource Center can provide you with a limited amount of information, the Resource Center cannot provide you with legal advice, and this Instruction Sheet is not intended to provide you with legal advice that is applicable to your case. You must decide how to best use the information and instructions provided without the benefit of legal advice unless you retain an attorney.

Background - The Resource Center cannot provide you with any legal advice regarding the selection or preparation of legal forms. The Court's Help Center offers a few legal forms and information sheets for your consideration, which are included in this package. Before selecting, completing, and filing the legal forms offered to you in this package, the Resource Center recommends that you first seek legal advice from an attorney of your choosing or seek assistance from the Court's Help Center.

This package includes a Complaint. A Complaint (rather than a Motion) should be selected if there is no legal proceeding in this Court regarding a minor child. If this Court already has a legal proceeding concerning the custody or parenting time of the minor child, no matter how long ago that legal proceeding was initiated, then a Motion should be selected. The Resource Center has other packages for Motions.

General Instructions

1. All forms must be typed or completed with blue or black ink, and the printing must be legible.
2. Primarily the Complaint offered in this package is intended for a Parent of minor child **who was previously married to the other parent and the marriage was terminate by a divorce decree.** Moreover, this complaint is intended for use if the child(ren) is "abused, neglected, or dependent by the residential parent. If you are not married to the other parent and if the child(ren) are abused, neglected, or dependent by the residential parent, then you should consider using Package A. If you are a Nonparent (e.g., a grandparent, aunt, uncle, etc.) and you decide to file a Complaint regarding custody or companionship time (i.e., "visitation" rights for a Nonparent) then the Resource Center has another package for a Nonparent.
3. Certain documents must be notarized. Do not sign any document that must be notarized unless you are signing before a notary, including a deputy clerk, who is authorized to serve as a notary.

4. Do not present for filing any document in this package without first presenting to a deputy clerk (1) a government-issued photographic identification (e.g., a current driver's license or passport), and (2) evidence of current mailing address (e.g., recent utility bill, bank statement account, property tax bill, voter registration card).¹
5. Be prepared to pay a court cost deposit, which will not exceed \$100. A deputy clerk will accept cash, personal check, or credit card. If you are an "indigent," then you may not be required to pay the court cost deposit. In that case prepare and file the Financial Disclosure Form (ODP-206R), together with the Complaint. A deputy clerk can supply you with that form.²

The Forms

1. **Complaint - Abused, Neglected, or Dependent [R.C. 2151.23(A)(1)]** – Form GC Juv 043B

Key Notes

- DO NOT insert a minor child's name in the Complaint. Only insert the child's initials where appropriate. You will provide the Court with the minor child's name and other pertinent information by preparing and filing a confidential document as explained below.
 - **Emergency Order** – If you want the Court to issue an emergency custody order, then in paragraph 9 of the Complaint, in the first item, be sure to check the box requesting an emergency order and the type of order (i.e., custody or parenting time).
 - This complaint may be used by a parent who is divorced from the other parent, and a domestic relations court has previously issued an order regarding child custody.
2. **CONFIDENTIAL INFORMATION** – Form GC JF 5.0 (Disclosure of Confidential Child Information).
 3. **IDENTITY OF NECESSARY PARTIES** - Form GC JF 5.1 (Identity of Necessary Parties).

Key Notes

- The purpose of this form is to inform the Court of all necessary parties that are required by Juv. R. 2(Y). Necessary parties include the parents of minor child(ren) and if applicable (1) a guardian of the child(ren), (ii) a legal custodian if the child(ren) are not living with a parent, (iii) a guardian ad litem, and possibly other persons. A necessary party to this case is The Geauga County Job & Family Services - 12480 Ravenwood Dr, Chardon, OH 44024.
4. **JURISDICTION AFFIDAVIT** – Form GC JF 1.0 (Jurisdiction Affidavit).

Key Notes

- The purpose of this form is to alert the Court to other legal proceedings concerning the minor child, whether the legal proceeding is in another Ohio court or that of another State. Ohio law and the Court's Local Rules require that this form be prepared and filed whenever a new legal proceeding is initiated in this Court.

¹ Rule 10 of the Geauga County Juvenile Court Local Rules.

² Rule 5 of the Geauga County Juvenile Court Local Rules.

5. PARENT HISTORY AFFIDAVIT – Form GC JF 2.0 (Parent History Affidavit).

Key Notes

- This form must be filed if a Parent is filing a Complaint.
- The purpose of this form is to alert the Court to a Parent's relevant felony history. Ohio law and the Court's Local Rules require that this form be prepared and filed whenever a new legal proceeding is initiated in this Court by a Parent.

6. INSTRUCTIONS FOR SERVICE - Form GC JF 7.0 (Request for Service)

7. STATEMENT OF UNDERSTANDING - Form GC JF 16.0 (Statement of Understanding)

Key Notes

- A deputy clerk must provide all necessary persons, who have a direct interest in the matter and the minor child,³ a summons and copy of the Complaint. Those necessary persons shall be identified in form GC JF 5.1 (Identity of Necessary Parties). A necessary party to this case is The Geauga County Job & Family Services - 12480 Ravenwood Dr, Chardon, OH 44024.
- If the address of an interested person is unknown, then you must arrange for that person to be notified by "publication" of the summons and a copy of the Complaint.
 - Form GC JF 3.1 (Affidavit for Service by Publication) – you must prepare and file this form together with Form GC JF 7.0 (Request for Service) if the address of an interested person is unknown.
 - Note that at the bottom of Form GC JF 3.1 (Affidavit for Service by Publication) you must select whether "publication" should be made by newspaper or by the Court's website. Newspaper publication will have a significant cost while website publication does not. If you select publication by the Court's website, then prepare the top portion (including the person's name and last known address) of form GC JF 3.2A – Court's Website Publication Notice. The clerk will insert the hearing information.

If you select newspaper publication, then you must prepare and file Form GC JF 3.2 (Instructions for Service by Newspaper Publication).

³ Again, see Rule 2(Y) of the Ohio Rules of Juvenile Procedure.

8. **ALLEGATION AFFIDAVIT** – Form GC Juv 038 (Affidavit)

Key Notes

- If you are requesting in the Complaint that the Court issue an emergency (ex parte) custody or parenting time order, then you should prepare and file with the Complaint an affidavit that sets forth specific facts, which support your allegation that there is an emergency regarding the minor child and thus the Court should issue an immediate emergency order.

Help Center Information Sheets

Before preparing and filing any pleading or other documents with the Court, you should read the following Help Center Information Sheets that may be applicable, which can be obtained from the Court's website, the Resource Center, or the Help Center.

- Allocation of Parental Rights and Responsibilities
- Child Support
- Jurisdiction of Ohio Juvenile Courts
- Temporary Emergency Jurisdiction

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____

Case No. _____
Case No. _____
Case No. _____

I.D. No. _____

**COMPLAINT - ABUSED, NEGLECTED, OR
DEPENDENT CHILD [R.C. 2151.23(A)(1)]**

Judge Timothy J. Grendell

Filed by: _____

The Child(ren)

1. This court proceeding concerns the minor child(ren), whose initials are set forth above and whose name, date of birth, and current address are described in a separate confidential document filed with the Court, (the "Children.").

Jurisdiction

2. Select One:

- The Child(ren) has/have lived with a parent or a person acting as a parent in Ohio for at least six months before the filing of this pleading and thus Ohio courts have jurisdiction under R.C. §3127.15(A). Juvenile court has jurisdiction under R.C. §2151.23(A)(1).
- Other:

Venue

3. Geauga County is the county in which the child(ren) has/have a residence or legal settlement, or in which the violation, unruliness, abuse, neglect, or dependency occurred.

Other Facts

4. Plaintiff has knowledge that the following described child(ren) is/are abused, neglected, or dependent as contemplated by R.C. 2151.23(A)(1) and R.C. 2151.27.

- 5. The mother is: _____ and the father(s) is/are identified on form GC JF 5.0.
- 6. The Child(ren) is/are Abused as defined by R.C. 2151.031, Neglected as defined by R.C. 2151.03, or Dependent as defined by R.C. 2151.04 and the particular facts and applicable sub-sections that support the allegation are set forth below:

7. Other:

8. The court order requested below is in the best interest of the Child(ren).

Request

9. I request that this Court (select as applicable):

- grant me an emergency order (i.e. ex parte order) regarding child custody because the best interest and welfare of the Child(ren) require immediate issuance. The facts supporting this request are set forth in the attached affidavit.
- grant me legal custody of the Child(ren);
- grant me temporary custody of the Child(ren);
- if I am not granted legal or temporary custody of the Child(ren), then grant me reasonable companionship or visitation rights;
- Other:

10. I seek such additional relief as the Court determines appropriate in law or in equity.

Your Signature

Print Name

Street Address

City, State, Zip Code

Telephone number

State of Ohio
County of Geauga

Sworn to and subscribed before me by _____ this ____ day of
_____, 20____.

Notary Public/Deputy Clerk

MEMORANDUM IN SUPPORT
[Juvenile Rule 19]

1. Ohio is the Home State for determination of child custody under R.C. §3127.15(A) and for determination of child support as defined in R.C. §3115.102.
2. This Court has exclusive original jurisdiction to determine child custody under R.C. §2151.23(A)(1) for an abused, neglected or dependent child.
3. Venue in this Court is proper under R.C. §2151.27(A)(1) and Juv. R. 10(A).
4. R.C. §2151.27 and Juv. R. 10 permit a parent to file a complaint and be granted custody of a minor child(ren) who is abused, neglected, or dependent. Also see *In re C.R.*, 108 Ohio St. 3d 369, 843 N.E. 2d 1188 (March 29, 2008).
5. R.C. §2151.353 allows the Court to “award legal custody of the child to either parent or to any other person who, prior to the dispositional hearing, files a motion requesting legal custody of the child or is identified as a proposed legal custodian in a complaint or motion filed prior to the dispositional hearing by any party to the proceedings. A person identified in a complaint or motion filed by a party to the proceedings as a proposed legal custodian shall be awarded legal custody of the child only if the person identified signs a statement of understanding for legal custody . . .” Also see *In re P.B.*, 2021-Ohio-414 (12th App. Dist – Warren Cty.)
6. Juv. R. 34(D)(3) permits the Court to grant custody to a parent, stating: *If a child is adjudicated an abused, neglected, or dependent child, the court may make any of the following orders of disposition: . . . (3) Award legal custody of the child to either parent or to any other person who, prior to the dispositional hearing, files a motion requesting legal custody; . . .* Also see *In Re C.B.* 2018-Ohio-5303 (December 26,2018 – 5th App. Dist.)
7. Despite the fact that there may be a prior child custody order by a domestic relations court, if a juvenile court determines that a child is abused, neglected, or dependent, a juvenile court may exercise its jurisdiction and make a child custody determination that may conflict with the prior court order. See *In re Poling*, 64 Ohio St.3d 211 (1992).
8. R.C. §2151.231 permits the Court to grant child support to a person having custody of a minor child, including a request for a paternity determination.
9. This Court may exercise its jurisdiction to determine child support under R.C. §2151.23(F)(2) and R.C. §2151.231, and accordance with R.C. §3109.05 and R.C. Chapter 3119.

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____
A Minor

Case No. _____

I.D. No. _____

**DISCLOSURE OF CONFIDENTIAL
CHILD INFORMATION**

Judge Timothy J. Grendell

Filed by: _____

The following is **CONFIDENTIAL** information concerning the identity of Child(ren), who are identified in this court proceeding by their initials, and the parents.

1. Initials: _____ Child's Name: _____ D.O.B. _____
Child's Address: _____ Custodian _____
Father is: _____ D.O.B _____ Paternity Established Yes No

2. Initials: _____ Child's Name: _____ D.O.B. _____
Child's Address: _____ Custodian _____
Father is: _____ D.O.B _____ Paternity Established Yes No

3. Initials: _____ Child's Name: _____ D.O.B. _____
Child's Address: _____ Custodian _____
Father is: _____ D.O.B _____ Paternity Established Yes No

4. Initials: _____ Child's Name: _____ D.O.B. _____
Child's Address: _____ Custodian _____
Father is: _____ D.O.B _____ Paternity Established Yes No

5. Initials: _____ Child's Name: _____ D.O.B. _____
Child's Address: _____ Custodian _____
Father is: _____ D.O.B _____ Paternity Established Yes No

Mother is: _____ D.O.B. _____

Dated: _____

Signature

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____
A Minor

Case No. _____

I.D. No. _____

IDENTITY OF NECESSARY PARTIES

Judge Timothy J. Grendell

Having made a good faith effort to determine those persons (other than a child) who are necessary parties to this matter as defined by Juv.R. 2(Y), their current contact information and relationship to the child(ren), the undersigned states that the following are necessary parties:

1. Name: _____ Relationship: _____
Address: _____ Tel. _____

2. Name: _____ Relationship: _____
Address: _____ Tel. _____

3. Name: _____ Relationship: _____
Address: _____ Tel. _____

4. Name: _____ Relationship: _____
Address: _____ Tel. _____

5. Name: _____ Relationship: _____
Address: _____ Tel. _____

6. Name: _____ Relationship: _____
Address: _____ Tel. _____

Dated: _____

Print Name

Attorney Reg. No. _____

IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO

In Re: _____ Case No. _____ I.D. No. _____
A Minor Judge Timothy J. Grendell

JURISDICTION AFFIDAVIT [R.C. § 3127.23(A)]

INSTRUCTION: Insert the following information for each minor child for which the custody and visitation is to be determined by this Court. While this case is pending, you must promptly inform the Court of any parenting proceeding in any other court, in this or any other state, concerning these minor children. Use addition sheets if needed.

INSERT INFORMATION REGARDING MINOR CHILD(REN) FOR THE LAST FIVE YEARS.

1. Initials: _____ Place of Birth: _____
 Date of Birth: _____ Sex Male Female

<u>Period of Residence</u>	Person with whom Child lived (name and address)	Relationship
_____ to Present	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____

By checking this box, no need to insert the same time and address information provided above.

2. Initials: _____ Place of Birth: _____
 Date of Birth: _____ Sex Male Female

<u>Period of Residence</u>	Person with whom Child lived (name and address)	Relationship
_____ to Present	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____

By checking this box, no need to insert the same time and address information provided above.

Initials: _____ Place of Birth: _____

Date of Birth: _____ Sex Male Female

<u>Period of Residence</u>	<u>Person with whom Child lived (name and address)</u>	<u>Relationship</u>
_____ to Present	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____
_____ to _____	_____	_____

1. I have have not - participated as a party, a witness, or in any other capacity in any other proceeding, in this state or any other state, concerning the allocation, between the parents of the same child, of parental rights and responsibilities for the care of the child including any designation of parenting time rights and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of or visitation with the same child.

Please explain if you have participated – providing in each proceeding (1) the type of case, (2) the court and state, (3) the date of any order or judgment, and (4) the names of minor children involved.

2. I have have no - knowledge of any proceedings, in this state or any other state, that could affect the current proceeding, including proceedings for enforcement of child custody determinations, proceedings relating to domestic violence or protection orders, proceedings to adjudicate the child as an abused, neglected, or dependent child, proceedings seeking termination of parental rights, and adoptions.

Please explain if you have such knowledge – providing in each proceeding (1) the type of case, (2) the court and state, (3) the date of any order or judgment, and (4) the names of minor children involved.

3. I have have no - knowledge of any person who is not a party to the proceeding and has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child and, if so, the names and addresses of those persons.

Please explain if you have such knowledge – providing in each instance (1) the name, address, and relationship of such person, (2) whether such person claims custody or visitation rights, and (3) name of each minor child with respect to each such person.

The health, safety, or liberty of me and the child(ren) would be jeopardized by the disclosure of identifying information, and thus I request that the Court seal and not disclose the information in accordance with R.C. 3127.23(D).

I, _____, swear and affirm that I have read this affidavit. To the best of my knowledge and belief, the facts and information stated in this affidavit are true, accurate, and complete. I acknowledge that if I do not tell the truth, I may be subject to penalties for perjury.

State of Ohio
County of Geauga

Your Signature

Sworn to and subscribed before me by _____ this _____, 20__.

Notary Public

IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO

In Re: _____ Case No. _____ I.D. No. _____

Judge Timothy J. Grendell

PARENT HISTORY AFFIDAVIT [R.C. § 3109.04(M)]

INSTRUCTION: In any proceeding in this Court regarding custody or visitation of minor child(ren), each parent must prepare, execute, and file this Parent History Affidavit. After filing, and until a final dispositional hearing, you must promptly inform the Court, by filing a new Parent History Affidavit, of any new information related to the information requested below.

I, _____, am the mother father of the minor child(ren), whose initials are set forth above and whose name, date of birth, and current address are described in a separate confidential document filed with the Court.

I have, or a member of my household has, been convicted or pleaded guilty to any criminal offense defined in R.C. 3109.04(C) or R.C. 3109.04(F)(1)(h), including a criminal act that (i) resulted in a child being an abused child or a neglected child, (ii) is a sexually oriented offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the current proceeding; or (iii) resulted in physical harm to a member of the family or household that is the subject of the current proceeding.

If you answered in the affirmative, then complete the information required on the following page, which is part of this affidavit.

I have not, and no member of my household has, been convicted or pleaded guilty to any criminal offense defined in R.C. 3109.04(C) or R.C. 3109.04(F)(1)(h), including a criminal act that (i) resulted in a child being an abused child or a neglected child, (ii) is a sexually oriented offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the current proceeding; or (iii) resulted in physical harm to a member of the family or household that is the subject of the current proceeding.

I, _____, swear and affirm that I have read this affidavit. To the best of my knowledge and belief, the facts and information stated in this affidavit are true, accurate, and complete. I acknowledge that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

State of Ohio
County of Geauga

Sworn to and subscribed before me by _____ this _____, 20____.

Notary Public

PARENT HISTORY AFFIDAVIT [R.C. § 3109.04(M)]

By: _____

EXPLANATION

1. Offender Name: _____
Court and State: _____ Case No. _____
Describe Offense: _____

2. Offender Name: _____
Court and State: _____ Case No. _____
Describe Offense: _____

3. Offender Name: _____
Court and State: _____ Case No. _____
Describe Offense: _____

4. Offender Name: _____
Court and State: _____ Case No. _____
Describe Offense: _____

Your Signature

**Court of Common Pleas
Juvenile Division
Geauga County, Ohio**

In Re _____

Case # _____

REQUEST FOR SERVICE

ID # _____

Judge Timothy J. Grendell

Please serve the following document: _____.

Name: _____

Address: _____

Certified Mail/Return Receipt Sheriff/Constable by Personal or Residence

Other _____

Name: _____

Address: _____

Certified Mail/Return Receipt Sheriff/Constable by Personal or Residence

Other _____

Name: _____

Address: _____

Certified Mail/Return Receipt Sheriff/Constable by Personal or Residence

Other _____

Name: _____

Address: _____

Certified Mail/Return Receipt Sheriff/Constable by Personal or Residence

Other _____

Print Name: _____

Telephone: _____

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____
A Minor

Case No. _____

I.D. No. _____

AFFIDAVIT

Judge Timothy J. Grendell

I, _____, state the following:

Your Signature

State of Ohio
County of Geauga

Sworn to or affirmed and subscribed before me by _____, this
____ day of _____, 20__.

Notary Public

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION
GEAUGA COUNTY, OHIO**

In Re: _____

Case No. _____
Case No. _____
Case No. _____

I.D. No. _____

**STATEMENT OF UNDERSTANDING
[R.C. 2151.353(A)(3)]**

1. I/We intend to become the legal custodian of the Child(ren), and I/We am/are able to assume legal responsibility for the care and supervision of the Child(ren).
2. I/We understand that legal custody of the Child(ren) is intended to be permanent in nature and that I/We will be responsible as the custodian for the Child(ren) until a child reaches the age of majority (i.e. age 18). Responsibility as custodian for the child(ren) shall continue beyond the age of majority if, at the time a child reaches the age of majority, that child is pursuing a diploma granted by the board of education or other governing authority, successful completion of the curriculum of any high school, successful completion of an individualized education program developed for the student by any high school, or an age and schooling certificate. Responsibility beyond the age of majority shall terminate when a child ceases to continuously pursue such an education, completes such an education, or is excused from such an education under standards adopted by the state board of education, whichever occurs first.
3. I/We understand that the parents of the Child(ren) have residual parental rights, privileges, and responsibilities, including, but not limited to, the privilege of reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and the responsibility for support.
4. I/We understand that I/We must be present in court for the dispositional hearing in order to affirm that I/We intend to become legal custodian, to affirm that I/We understand the effect of the custodianship before the court, and that I/We will answer any questions that the court or any parties to the case may have.
5. Other:

Your Signature

Print Name

Your Signature

Print Name