Rev. 8-5-25

COURT OF COMMON PLEAS PROBATE / JUVENILE DIVISION
GEAUGA COUNTY, OHIO - JUDGE TIMOTHY J. GRENDELL
Courthouse Annex, 2nd Floor 231 Main Street, Suite 200
Chardon, Ohio 44024
Telephone No. 440-226-4446
Fax Probation: 440-375-6811 Fax Court: 440-375-6810

COURT POLICY REGARDING COURT EMPLOYEES PROVIDING LEGAL ADVICE

Ohio law and Codes of Conduct prohibit court employees, including deputy clerks, Resource Center staff, and Help 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
[Companionship Time]
[For Nonparent Use – Motion]

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 Motion. The primary purpose of this Motion is for a Nonparent to obtain companionship time for a child(ren) in a court proceeding **where child support is an issue**. A Motion should be selected if there is a legal proceeding in this Court regarding the minor child, no matter how long ago that legal proceeding was initiated AND that legal proceeding included a child support claim.

General Instructions

1. All forms must be typed or completed with blue or black ink, and the printing must be legible.

2. The Motions offered in this package are intended for a Nonparent who has an interest in a minor child and seeks companionship time (i.e. visitation) order. If you are a Parent and you decide to file a Motion regarding custody or parenting time (i.e., "visitation" rights), then the Resource Center has another package for a Parent.

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]

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

5. Be prepared to pay a court cost deposit, which should not exceed $50. 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 Motion. A deputy clerk can supply you with that form.[2]

The Forms

1. Motions

a. Motion to Intervene – Before you may file a Motion for Companionship Time in a private custody proceeding, if you are not already a party in that proceeding, then you must first obtain permission from the Court to file that motion. You do so by first filing a Motion to Intervene (Form GC Juv 020A.1), which essentially is asking the Court's permission to file your Motion for Custody.

b. Motion for Companionship Time – You must prepare and attach to the Motion to Intervene a separate Motion for Companionship Time (Form GC Juv 020C). The Clerk may permit you to file both Motions at the same time, but the Court must grant the Motion to Intervene before the Motion for Custody is effective.

Key Notes

- **WARNING – The Court will only grant a Motion to Intervene and a Motion of Companionship Time if the pending juvenile proceeding includes a determination for child support.**

- If the Motion to Intervene is denied, then the Nonparent may file a Complaint seeking a companionship (visitation) time order in the Court of Common Pleas – General Division, and NOT THIS COURT.

- If you are unsure whether the pending legal proceeding is a private custody case or a JFS case, or whether the legal proceeding includes a determination of child support, a deputy clerk can provide you with that information.

- DO NOT insert a minor child's name in the Motion. 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.

WARNING - The Court may deny the motion to intervene.[3] A grandparent or other family member does not have an automatic right to be a party to a child custody proceeding. The Court may be more willing to grant a motion for intervention seeking child custody if the nonparent has a significant history of caring for the child. Generally, the nonparent must be able to prove that the nonparent has undertaken care and control of the child in the absence of parental supervision or parental permission and the child has relied upon that nonparent for

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

[3] See Civ. R. 24. See also *In re A.W.*, 2022-Ohio-1097 (11th App. Dist., Ashtabula Cty.), *In re L.M.*, 2021-Ohio-1630 (12th App. Dist., Preble Cty.), and *In re. J.B.*, 2016 WL 4497100 (8th App. Dist, Cuyahoga Cty.)

support. Examples would be if you have custody of a child under (i) Custody Power of attorney, (ii) Caretaker Authorization Affidavit, or (iii) Relinquishment Agreement.

- Generally, a Nonparent must first obtain the Court's permission to be a party to a pending litigation before filing a motion for custody or companionship time. Thus, a Motion to Intervene must be filed.

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

Key Notes

- A deputy clerk must provide all persons, who have a direct interest in the matter and the minor child,[4] a copy of the Motion, which may include attorneys and a guardian ad litem. This form must be prepared and filed by you in order to give the deputy clerk the necessary information and directions. If you are unsure who are the parties or their attorneys, then a deputy clerk should be able to provide you with their names and addresses.

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

Key Notes

- If you are requesting in the Motion that the Court issue an emergency (ex parte) custody or companionship time order, then you should prepare and file with the Motion 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.

4. **CONFIDENTIAL INFORMATION** – Form GC JF 5.0 (Disclosure of Confidential Child Information).

Key Notes

- The purpose of this form is to keep confidential the identity of minor children. Accordingly, this form is not a public record and will be kept in a separate confidential file.

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.

- Nonparent Rights
- Child Support
- Jurisdiction of Ohio Juvenile Courts
- Temporary Emergency Jurisdiction

[4] Again, see Rule 2(Y) of the Ohio Rules of Juvenile Procedure.

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

In Re: _____ Case No. _____
A Minor

I.D. No. _____

MOTION TO INTERVENE

Filed by: _____ and _____

1. This Motion to Intervene, which is filed pursuant to Civ.R. 24, relates to the minor child(ren), whose initials are set forth below and whose name, date of birth, and current address are described in a separate confidential document filed with the Court, (the "Children.").

   Minor Children Initials: _____

2. I am/we are related to the Child(ren), and have an interest in the welfare of the Children, as follows: _____

3. Other:

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

Request

5. I/we request that the Court issue an order permitting I/we (i) to intervene and be made a party in this matter and (ii) to file a Motion, a copy of which is attached to this Motion to Intervene.

_____	_____
Your Signature	Your Signature
_____	_____
Print Name	Print Name
_____	_____
Street	Street
_____	_____
City, State, Zip Code	City, State, Zip Code
_____	_____
Telephone	Telephone

MEMORANDUM IN SUPPORT
[Juvenile Rule 19]

1. JuvR. 2(Y) allows the court, in its discretion, to designate a person as a party to a juvenile court proceeding. The juvenile court may rely upon Civ.R. 24 when permitting a person, who is not automatically included as a party under Juv.R. 2(Y), to intervene in a court proceeding, and required that person to file a motion to intervene in a court proceeding if that third-party has in interest in the matter. See *In Re R.B.*, 2020-Ohio-5134 (3rd App. Dist.)

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: _____ Case No. _____
A Minor

I.D. No. _____

MOTION FOR COMPANIONSHIP RIGHTS

Filed by: _____ and _____

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

   Minor Children Initials: _____

2. I am/we are related to the Child(ren), and have an interest in the welfare of the Children, as follows: _____

3. The supporting facts for my request are:

4. Other:

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

Request

6. I/we request that this Court (select as applicable):

- ☐ grant me/us reasonable companionship rights regarding the Child(ren);
- ☐ grant me/us reasonable temporary companionship rights regarding the Child(ren);
- ☐ Other:

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

_____	_____
Your Signature	Your Signature
_____	_____
Print Name	Print Name
_____	_____
Telephone	Telephone

MEMORANDUM IN SUPPORT
[Juvenile Rule 19]

1. *Troxel v. Granville*, 530 U.S. 57, 120 S. Ct.2054, 147 L.Ed.2d 49 (2000), recognized that a parent has a "fundamental liberty right" that is guaranteed by the 14th Amendment to determine the custody, care, and nurturing of a child. See also *Harrold v. Collier*, 107 Ohio St.3d 44, 2005-Ohio-5334, 836 N.E.2d. 1165 regarding *Troxel*, and its applicability to R.C. 3109.11 and 3109.12 and *In re Hockstock*, 98 Ohio St.3d 238, 781 N.E.2d 971 (2002).

2. This Court shall exercise its jurisdiction to determine child support under R.C. §2151.23(F)(2), and accordance with R.C. §3109.05 and R.C. Chapter 3119.

3. R.C. 2151.23 permits the Court to award companionship time to nonparent.

4. R.C. 3109.051(D)(15) provides that the Court shall consider the wishes and concerns of the child's parents, as expressed by them to the court. See *In Re Kaiser*, 2004-Ohio-7208, 2004 WL 3090224 (7th Dist. 2004), where the Court determined that a judge must give heavier weight to the wishes and concerns of the parent as compared to any other factor listed in R.C. 3109.051(D).

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

In Re: _____ Case No. _____
A Minor

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

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: _____ Case No. _____
A Minor

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