

(1) COMPLAINT FOR CUSTODY

Now comes the Petitioner, _____, *pro se*, who states:
Name of person asking for custody

1. The child, _____, ____/____/____

The child, _____, ____/____/____

The child, _____, ____/____/____

is in the legal custody of the (circle one) mother / father / parents. The child now lives with

_____ at this address:

_____ and

has lived there since this date: ____/____/_____.

2. The child has been subject to previous custody orders from this court under this case number and any other court proceeding that I know are stated on the attached UCCJEA affidavit.

3. Petitioner alleges that the mother is unavailable to the children at this time because:

a) She has been

1. _____ taken into custody by the United States or local government.

2. _____ refused readmission to the United States.

3. _____ her location is unknown.

b) The family has no idea when the mother will be permitted to return home and resume her parental duties.

4. Petitioner alleges that the father is unavailable to the children at this time, because:

a) He has been

1. _____ taken into custody by the United States or local government.

2. _____ refused readmission to the United States.

3. _____ his location is unknown.

b) The family has no idea when the father will be permitted to return home and resume his

parental duties.

5. Petitioner states (check all that apply)

- a) _____ I have spent a significant amount of time with the child;
- b) _____ I share a cultural background with the child;
- c) _____ I share a non-English language with the child;
- d) _____ The parent(s) trust my relationship with the child;

and it is in the child's best interests that I assume and maintain that child's legal custody.

6. I have the proper income, space, and ability to care for the child and can provide for the child's education, health, and welfare, and provide any needed medical attention. I am capable of, and willing to, act as legal custodian until the child reaches 18 years and I understand that this custodial transfer is intended to last until the child reaches 18 years.
7. The parents are in complete agreement with this response to the present custodial situation and agree to the transfer without being found unsuitable, only involuntarily unavailable.

(2) MOTION TO TRANSFER VENUE

This case was originally filed in _____ County, Ohio. The Petitioner and child(ren) reside in _____ County Ohio. Petitioner asks that this court transfer this matter to the Common Pleas Court, Domestic Relations Division, of their county of residence.

(5) WAIVER OF SUMMONS, AGREEMENT TO COURT'S JURISDICTION, AND (5)
AGREEMENT OF BEST INTERESTS OF MY CHILD.

Being first duly cautioned and sworn, the affiant MOTHER states:

My name is _____, born on ____/____/_____,
and I am the mother of _____, ____/____/_____.

I am a citizen of _____.

I have reason to fear that I will be taken into local or Federal Custody and prevented from caring for my child.

My child is (mark one)

1. _____ a United States Citizen
2. _____ a Citizen of _____ but subject to DACA.
3. _____ a Citizen of _____ and not subject to DACA.

I have a right to service of summons on this matter. I waive that right to service. I agree that the captioned court has subject matter jurisdiction to determine custody.

I agree that waiving service of summons subjects me to the personal jurisdiction of this court.

I agree that because my family resides in _____ County, this court is the proper venue to determine this matter.

I agree that I have full knowledge of this complaint for custody. I understand that this transfer of custody is intended to be permanent in nature and cannot be changed in the future except by returning to court and that if there is no change in the child's home this court doesn't have the legal authority to change custody.

In the event that this court does not grant this request for custody, my child would become a dependent child and be placed in foster care. It is in their best interests to be placed into the legal custody of the Petitioner(s) or into the shared custody of the Petitioner and one or both parents with the Petitioner designated as credential home.

It is specifically intended by the parents that this document not be stale with the passage of time. We are executing these documents today in the hope that they will never be required but being mindful that we could be arrested and deprived of our right to counsel or communicate at any time.

Mother

County of _____)

) ss:

State of Ohio)

Before me, a notary in and for said County and State, personally appeared the mother whose identity was proven to me by competent, credible, identification, who deposed, knowingly executed this document to change her child's custody, and stated that the same was her free act and deed this day, ____/____/20____.

Notary Public

Being first duly cautioned and sworn, the affiant FATHER states:

My name is _____, born on ____/____/_____, and I am the biological father of _____, ____/____/_____.

I am a citizen of _____.

I have reason to fear that I will be taken into local or Federal Custody and prevented from caring for my child.

My child is (mark one)

- 1. _____ a United States Citizen
- 2. _____ a Citizen of _____ but subject to DACA.
- 3. _____ a Citizen of _____ and not subject to DACA.

I have a right to service of summons on this matter. I waive that right to service. I agree that the captioned court has subject matter jurisdiction to determine custody.

I agree that waiving service of summons subjects me to the personal jurisdiction of this court.

I agree that because my family resides in _____ County, this court is the proper venue to determine this matter.

I agree that I have full knowledge of this complaint for custody. I understand that this transfer of custody is intended to be permanent in nature and cannot be changed in the future except by returning to court and that if there is no change in the child's home this court doesn't have the legal authority to change custody.

In the event that this court does not grant this request for custody, my child would become a dependent child and be placed in foster care. This is not in my child's best interests. It is in their best interests to be placed into the legal custody of the Petitioner(s) or into the shared custody of the Petitioner and one or both parents with the Petitioner designated as credential home.

It is specifically intended by the parents that this document not be stale with the passage of time. We are executing these documents today in the hope that they will never be required but being mindful that we could be arrested and deprived of our right to counsel or communicate at any time.

Father

County of _____)

) ss:

State of Ohio)

Before me, a notary in and for said County and State, personally appeared the father whose identity was proven to me by competent, credible, identification, who deposed, knowingly executed this document to change his child's custody, and stated that the same was his free act and deed this day, ____/____/20____.

Notary Public

WHEREFORE Petitioner asks that this court inquire, make a determination of parental availability and commit the legal custody of the child to Petitioner, or share custody between Petitioner and one or both parents.

Respectfully Submitted,

Signature _____
Petitioner _____
Address _____
Phone _____
Fax, if any _____
Email _____

Respectfully Submitted,

Signature _____
Petitioner _____
Address _____
Phone _____
Fax, if any _____
Email _____

(6) UCCJEA PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23)

I request that the court not disclose my current address or that of the child. My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety or liberty of myself and/or the child.

1. Minor child subject to this case is as follows:

Child's Name: _____ Place of Birth: _____
Date of Birth: ____/____/____ Sex: ____ Male ____ Female

You must list the residences for all places where the child has lived for the last FIVE years.

Period of Residence	Check if Confidential	Person(s) With Whom Child Lived (name & address)	Relationship
___/___/___ to present	<input type="checkbox"/>	_____	_____
___/___/___ to ___/___/___	<input type="checkbox"/>	_____	_____
___/___/___ to ___/___/___	<input type="checkbox"/>	_____	_____
___/___/___ to ___/___/___	<input type="checkbox"/>	_____	_____
___/___/___ to ___/___/___	<input type="checkbox"/>	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL RESIDENCES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX

2. Participation in custody case(s): (Check only one box.)

I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with the child subject to this case.

I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with the child subject to this case. For each case in which you participated, give the following information:

- a. Type of case: _____
- b. Court and State: _____
- c. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX

3. Information about other civil case(s) that could affect this case: (Check only one box.)

I HAVE NO INFORMATION about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning the child subject to this case.

I HAVE THE FOLLOWING INFORMATION concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect, or abuse allegations or adoptions concerning the child subject to this case. Do not repeat cases already listed in paragraph 2. Explain:

- a. Type of case: _____
- b. Court and State: _____

c. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX []

4. Information about criminal case(s):

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses:

any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

Name	Case Number	Court/State/County	Convicted of What Crime?
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX []

5. Persons not a party to this case who have physical custody or claim to have custody or visitation rights to children subject to this case: (Check only one box.)

I DO NOT KNOW OF ANY PERSON(S) not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to the child subject to this case.

I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to the child subject to this case.

a. Name/Address of Person: _____

Has Physical Custody Claims Custody Right Claims Visitation Right

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX []

_____)
 Person supplying this information

County of _____)
) ss:
State of Ohio _____)

Before me, a notary in and for said County and State, personally appeared the above named affiant, _____, whose identity was proven to me by competent, credible, identification, who deposed, and swore or affirmed that affiant has read this document, or had it read to him or her, and, to the best of affiant's knowledge and belief, the facts and information stated in this document are true, accurate and complete. Affiant states that he or she understands that if the information is not the truth, the affiant may be subject to penalties for perjury.

Notary Public

**IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION**

_____ COUNTY, OHIO

PETITIONER)
)
)
)

MOTHER)
)
)

FATHER)
)
)

Case No. _____
JUDGE _____
**MOTION TO FILE
IN FORMA PAUPERIS**

Now come the Petitioner, *pro se*, who moves this court for permission to file this Complaint for Legal Custody *in forma pauperis*. For cause movant deposes and states under oath:

This child's custodial parent has

_____ disappeared and cannot be located, or
_____ has been detained by ICE

and has requested in either event that I take legal custody of the child during the parent's absence. My household is made up of _____ adults and _____ children, including this child. My household income is \$_____ per month and the parent of this child cannot provide any financial support for this child. I am without the funds to pay a deposit for court costs and if this complaint is not filed, the child may be taken into foster care which would not be in the child's best interests nor a sensible use of community resources.

Petitioner

County of _____)
) **ss:**
State of Ohio)

Before me, a notary in and for said County and State personally appeared the Petitioner whose identity was proven to me by competent, credible, identification, who deposed, and swore or affirmed that affiant has read this document, or had it read to him or her, and, to the best of affiant's knowledge and belief, the facts and information stated in this document are true, accurate and complete. Affiant states that he or she understands that if the information is not the truth, the affiant may be subject to penalties for perjury.

Notary Public

IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION

_____ COUNTY, OHIO

_____)	Case No.
PETITIONER)	
_____)	JUDGE _____
MOTHER)	
_____)	PRAECIPE FOR
FATHER)	SERVICE
_____)	
FATHER)	
_____)	

*To The Clerk:
Greetings.*

Please make service of summons and of the Complaint for Legal Custody, Temporary Custody, and attached UCCJEA upon the father by Certified U.S. Mail to:

_____ at _____
Father's name _____
Father's address _____

Petitioner
Address _____
Address _____
Phone _____

