

IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION

_____ COUNTY, OHIO

County where child resides

IN RE:

CHILD'S NAME

CHILD'S DATE OF BIRTH:

____/____/____

PETITIONER:

NAME

ADDRESS

CITY STATE, ZIP

PHONE / EMAIL

BIRTH MOTHER:

NAME

ADDRESS

CITY STATE, ZIP

PHONE / EMAIL

BIRTH OR LEGAL FATHER:

NAME

ADDRESS

CITY STATE, ZIP

PHONE / EMAIL

CASE NO.

JUDGE _____

MAGISTRATE _____

- 1) COMPLAINT FOR LEGAL CUSTODY
R.C. 2151.23(A)(2)
- 2) MOTION FOR TEMPORARY CUSTODY
R.C. 2151.33, Juv.R. 6, and Juv.R. 7
- 3) PARENTAL AGREEMENT
- 4) WAIVER OF SERVICE OF SUMMONS
- 5) STIPULATION TO BEST INTERESTS
- 6) UCCJEA AFFIDAVIT
R.C. 3127.23

(1) COMPLAINT FOR CUSTODY

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

1. 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 not been party to any court proceeding that I know of except as 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 FOR EMERGENCY TEMPORARY CUSTODY WITH
(3) PARENTAL AGREEMENT

The Petitioner(s) and Parent(s) are asking this court to issue an emergency order of temporary custody of _____, ___/___/_____, to _____ before hearing. Petitioner(s) and Parent(s) ask that the matter be set for hearing as provided by law, and that this court accept the waiver of service of summons executed by the parent(s) in front of a Notary Public. Those waivers and stipulations are incorporated in this complaint. Each parent is in imminent risk of arrest and removal or have already been taken into custody. 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 bu being mindful that we could be arrested and deprived of our right to counsel or communicate at any time.

Petitioner

Mother

Father

County of _____)
) ss:
State of Ohio)

Before me personally appeared **Petitioner(s)** _____ whose identity was proven to me by competent, credible, identification, who deposed, executed this document, and stated that the same was Petitioner's free act and deed this day, ___/___/_____. .

Notary Public

County of _____)
) ss:
State of Ohio)

Before me personally appeared the named **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, ___/___/_____. .

Notary Public

County of _____)
) ss:
State of Ohio)

Before me personally appeared the named **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, ___/___/_____. .

Notary Public

**(4) 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 personally appeared _____ 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, ____/____/____.

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 personally appeared _____ 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, ____/____/____ .

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: _____

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION**

_____ COUNTY, OHIO

In Re:)	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 personally appeared _____ 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
JUVENILE DIVISION

_____ COUNTY, OHIO

In Re:

Child's Name

_____/_____/_____
Child's Date of Birth

)
)
)
)
)
)
)
)
)
)
)
)

Case No.

JUDGE _____

Praeipie for Certified Mail Service

**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 _____

**IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION**

_____ COUNTY, OHIO

In Re:)	Case No.
_____)	
Child's Name)	JUDGE _____
____/____/____)	<i>Praeipie for Alias</i>
Child's Date of Birth)	<i>Summons of Service</i>
)	

***To The Clerk:
Greetings.***

The Certified mail in his matter being returned as Unclaimed or Refused, please make service of summons and of the Complaint for Legal Custody, Temporary Custody, and attached UCCJEA upon the father by alias service of summons by regular US Mail with certificate of mailing to:

_____ at _____
Father's name _____

Father's address _____

Petitioner

Address _____
Address _____
Phone _____

IN THE COURT OF COMMON PLEAS
JUVENILE DIVISION

COUNTY, OHIO

In Re:)
)
)
Child's Name)
)
)
Child's Date of Birth)
)

Case No.
JUDGE
Affidavit and Praecipe for
Summons of Service by Publication

To The Clerk:
Greetings. Pursuant to the following affidavit, Please make service of summons and of the Complaint for Legal Custody, Temporary Custody, and attached UCCJEA upon the father by Publication.

Affidavit:
I am the Petitioner in this matter. The father's name is
The father's last known address was
He was last known there on this date: I have done the following to find his address:
Checked his family & acquaintances. Check with his last known employers.
Checked online directories. Checked online court dockets in his last
Checked social media. known community of residence.

Phone
Petitioner

Petitioner's Address

County of
State of Ohio)
) ss:
)

The above named Petitioner was duly caution and sworn and states that this information is true and accurate to the best of knowledge, information, and belief under penalty of perjury.

Notary Public